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BULLETIN

Clear federal role in research sought

by Israel Cinman

Contradictory statements by the Federal government and the Council of Provincial Ministers of Education have forced the Canadian Association of University Teachers to seek a clearer definition of the role the Federal government intends to play in making research grants to post-secondary institutions in Canada.

In a letter addressed to the Prime Minister, the President of the CAUT, Professor Richard Spencer, welcomed the general thrust of the Trudeau government's policy towards university research and in particular the funding of research councils composed of scholars as the granting agencies. He also said that the Association was pleased to have the assurance from the Prime Minister that these granting agencies will be able to make grants directly to individual researchers, and that it is not the government policy to channel university research grants through provincial ministries.

But while applauding these policies, Professor Spencer nevertheless pointed to a recent public speech made by Dr. François Cloutier, Chairman of the Council of Ministers of Education, in which the Minister said that the Council stressed to the federal government the desire of the provinces to be consulted in the area of federal funding of university research. Dr. Cloutier said that the Council insisted that the central government should refrain from dealing directly with the universities in this "very important area," and pointed to the constitutional responsibilities that the provinces have been entrusted with to plan and develop their jurisdictions according to their priorities. "We feel that we have secured the support of Ottawa in principle on this issue," he said. It is this latter part of the statement, contradicting the stated federal policy, that the CAUT wished to have clarified by the Prime Minister.

Professor Spencer went on to say that the CAUT was encouraged by the Government's proposal to create an Inter-Council Coordinating Com-

mittee, whose function would be co-ordination and not direction of granting agencies, but suggested that the government might consider the appointment to the Council of representatives from the academic community, to assuage the possible fears in the academic community concerning the growth of the Committee's power.

The CAUT Council recommended last May the continuation of a strong federal presence in financing of post-secondary education and university based research, and voted to use its document on federal financing of universities as basis for lobbying the government in the 1976 round of Federal-Provincial fiscal negotiations. According to Professor Donald Savage, Executive Secretary of the Association, the CAUT Executive will consider this month various avenues of large-scale lobbying during this academic year.

Changes proposed for education in Nova Scotia

by Israel Cinman

The Royal Commission on Education, Public Service and Provincial Municipal Relations established three years ago by the Nova Scotia Legislature has tabled its recommendations this summer, which call for a massive overhaul of the province's educational system.

Setting its sights on the province's primary, secondary and post-secondary levels of education, the Committee, headed by Dr. John F. Graham, an economist at Dalhousie University, fired a broadside at the universities, charging them with failure to consider the long term effects of their present aims.

According to the report, universities should be required to justify all their existing and projected programs in terms of their contribution to the achievement of the purposes of the universities as institutions of higher intellectual

study. The report said that for too long has institutional autonomy been "erroneously equated with academic freedom and used to justify an almost complete lack of public accountability."

"A university, of all institutions, should be able to explain itself clearly, intelligently and articulately," the report said.

The commission wants to see universities describe, justify and account for their programs to an intermediary body and do this publicly, at least once a year. It wants each university to make public a full audited financial statement annually, with annual budgets open for public perusal.

"The government cannot hold the universities accountable unless it knows why it is supporting them. The public cannot hold the government accountable for the use of public funds unless there are criteria for evaluation. Neither the public nor the government are likely to be able to formulate fair and effective criteria for accountability without the assistance of the universities."

Referring to university costs and financing, the report states that research and related study have a large element of social benefit and that their costs should be borne principally by the public. It suggests that the provincial government make grants payable to the universities for research, with initially the grants equalling tuition revenues in graduate, medical and dental programs and one-quarter of tuition revenues in all other programs.

The university and an appropriate intermediary body—The Maritime Higher Education Commission should then jointly decide upon an appropriate method of determining the amount that should be allocated to each university after the initial period.

The committee recommends that
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From the Editor...

Through the years, the *CAUT Bulletin* served the CAUT members as a house organ, as a vehicle for distribution of CAUT policy statements and guidelines, news of committee activities and of Council meetings. It has reported on major cases dealing with academic freedom and tenure, has published articles on issues of interest to faculty associations, has provided individual members with a platform to express their views and has published book reviews.

Throughout its almost twenty-year existence, the *Bulletin* has undergone a number of changes in format — from single mimeographed sheets in the early 50's to its first printed edition in 1956, to a quarterly *Bulletin* supplemented by a quarterly *Newsletter* in late 60's, to a combination of the two in 1972.

All these changes were undertaken in response to the always developing nature of the Association, the increase in its membership and the shifting of its priorities.

The *Bulletin* now before you reflects the latest transformation within the CAUT. Last May, the CAUT Council, among other things, approved the creation of regional CAUT offices in Halifax and Edmonton as a way of strengthening the CAUT presence in the Atlantic and Western regions and a means of replying to an increased number of requests for assistance from local associations in their drive towards certification and collective bargaining.

With more emphasis on regional activities, the *CAUT Bulletin* will become a newsmagazine published six times a year, commenting on important and interesting developments across the country, using the regional offices and the CAUT personnel there as sources of information as well as its usual contributors.

There is another reason for the change in the format of the *Bulletin*. In the last few years the printing industry has been staggered by a series of increases in the price of paper, driving some magazines out of circulation, while emphasizing to others the virtues of cheaper, faster production schedules and modern printing techniques.

The *CAUT Bulletin* will benefit from the changes in format and the type of paper used, and these benefits can be passed on to our advertisers. Whereas before we were forced to keep our rates for classified advertisements at \$1.50 per line, we can now drop the price to \$1.25 per line, thus in effect "passing the savings on to our advertisers." Elsewhere in the issue you will find the new rates for display advertising.

Although new in appearance, the *CAUT Bulletin* is still a periodical for the Canadian academic community. It will still be a vehicle for discussion of academic issues. It will still publish book reviews, reports and major CAUT documents and will prepare special supplements on issues of importance to Canadian academics. Two years ago, when the *Bulletin* underwent a change in format and frequency of publication, it was met by overwhelming approval from our members. We hope that the new *Bulletin* before you will be greeted with the same enthusiasm.

Israel Cinman

du rédacteur...

Depuis près de vingt ans, le *Bulletin de l'ACPU* est un instrument de communication entre les membres de l'Association; il sert à diffuser les énoncés de principes et directives de l'ACPU et rend compte de l'activité des comités et des réunions du Conseil. On lui doit, entre autres, des exposés sur des causes importantes en matière de liberté universitaire et de permanence de l'emploi, des articles sur des questions intéressant les associations de professeurs; il a servi de tribune libre à bien des membres et a publié des critiques d'ouvrages.

Au cours de son existence, le *Bulletin* s'est métamorphosé plusieurs fois, passant de simples feuillets polycopiés au début des années 50 à sa première livraison imprimée en 1956, puis à un *Bulletin* trimestriel complété par un *Communiqué* trimestriel vers la fin des années 60, pour aboutir à une combinaison des deux en 1972.

Chaque changement a résulté de progrès importants réalisés par l'Association, de l'augmentation du nombre de ses membres, et de l'évolution de ses préoccupations.

Le *Bulletin* que vous recevez aujourd'hui correspond à une nouvelle phase de croissance. En mai dernier, le Conseil de l'ACPU a approuvé, entre autres, la création de bureaux régionaux à Halifax et à Edmonton pour donner plus de poids à la présence de l'Association dans les régions de l'Atlantique et de l'Ouest et pour mieux répondre au nombre croissant de demandes d'assistance de la part des associations locales qui veulent se faire accréditer pour la négociation de conventions collectives.

Accordant plus de place aux événements régionaux, le *Bulletin* de l'ACPU devient un magazine publié six fois par an offrant des commentaires sur les événements d'un grand intérêt survenant aux quatre coins du pays, grâce à l'apport du personnel des bureaux régionaux de l'ACPU qui deviennent de nouvelles sources de renseignements et d'articles.

Le changement de format du *Bulletin* a aussi une autre raison. Depuis quelques années les imprimeurs sont écrasés par des hausses successives du prix du papier; certaines publications ont dû disparaître, tandis que d'autres ont vu les mérites d'une production meilleur marché et plus rapide. Sous son nouveau format, sur papier moins cher, le *Bulletin* est plus économique; il a donc été décidé d'en faire profiter nos annonceurs en baissant le tarif des petites annonces de \$1.50 à \$1.25 la ligne. Le nouveau tarif des annonces en vedette est publié dans une autre partie du présent numéro.

Sous sa nouvelle toilette, le *Bulletin* de l'ACPU demeure le périodique des universitaires canadiens. Ses colonnes restent ouvertes à la discussion des problèmes universitaires. Il continuera de publier des critiques d'ouvrages, des rapports et les principaux documents de l'ACPU; des éditions spéciales traiteront de questions d'une importance particulière pour les universitaires canadiens. Les modifications apportées au *Bulletin* il y a deux ans, format et fréquence des numéros, avaient recueilli l'approbation de la grande majorité des membres. Nous souhaitons au nouveau *Bulletin* un accueil aussi enthousiaste.

Israel Cinman

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these allocations take the form of block grants announced at least three years in advance; that this system of financing should be introduced over a period of five years after consultation with universities, other provinces and federal government.

"The province should take every opportunity to attempt to gain the support of the federal and provincial governments for a system of university financing based on fees equal to the full instructional cost of university education accompanied by an extensive program of student assistance."

It cautions, however, that the province should not attempt to implement this system until a sufficient number of other provinces have agreed to adopt a similar system of university financing. A too early implementation, says the report, will result in a serious loss of students to other provinces.

In the interim period the report suggests that student fees be increased annually by at least the same percentage as university expenditures per student have increased in the previous year, provided that the fees do not jump to an unacceptable level in comparison with other provinces.

If these recommendations are accepted, then the Nova Scotia system of loans and bursaries for

students attending post-secondary institutions is in for a radical transformation.

Saying that the present system of provincial loans and bursaries should be abolished the report states that "students should bear a greater proportion of the cost of their university program." Under the Graham recommendations, all loans should be interest free while the student is in full-time study and for a period of five years thereafter. Subsequently the report recommends that the interest rate on the loan should be one quarter of one per cent above the cost of borrowing to the province.

The report also suggests that poorer students should be given a grant each year of their undergraduate education "sufficient to permit them to acquire an undergraduate education without accumulating a debt that is substantially higher than the debt that a student of average means would require."

It also recommends that the Nova Scotia Teachers College be transferred to Halifax; that its good programmes be retained, and that it be enlarged to take care of all teacher education. It suggests that the new Teachers College be affiliated with a university, and that all university Departments of Education be phased out.

Educational television for British Columbia

A report on educational television which recommends the establishment of an independent authority to manage all communication facilities in British Columbia was released this summer by the province's Transport Minister, Robert Strachan.

The report, prepared by Barrie Clark, former broadcaster and Liberal member of the legislature said a British Columbia Communications Authority (BCCA) is necessary to provide the required coordination and integration of such facilities.

Commissioned in March, the report also recommends:

The BCCA establish an education broadcast division and a computer and data service department;

The BCCA enter into negotiations with CBC and the BC Television to assist and encourage extension of service in the province;

The BC Government continue to press the federal government for

regulatory jurisdiction over all communication facilities within the province;

The BCCA set up a provincial microwave or satellite communications network.

It also states that a provincial equivalent to the CRTC would be an appropriate agency to oversee all the communication facilities in B.C.

Strachan, in presenting the report, said that Clark's recommendations were not government policy and the proposals would be studied before any action is taken.

The CAUT and ACTRA, through the Western Media Committee will present their views on the proposed authority. Of special concern to CAUT, ACTRA and other provincial educational bodies, including the community colleges, is the clause recommending the creation of an educational broadcast division, which will be discussed when CAUT representatives will meet with the Minister of Education, Eileen Dailly, later this month.

Court orders professors reinstated

In a decision that could have wide implications for US colleges and universities, a New Jersey court has ordered Bloomfield College to reinstate 13 tenured faculty members and to reverse its abolition of tenure for the rest of the teaching staff.

Judge Melvin Antell of the Superior Court of New Jersey ruled last summer that the small private college had broken a contractual agreement with its faculty and had failed to show that the dismissal of the 13 faculty members had been necessitated by financial exigencies. He said that the college administration's trustees' "primary objective was the abolition of tenure at Bloomfield College, not the alleviation of financial exigency."

Bloomfield College abolished tenure last year and dismissed 13 faculty members, 11 of whom were tenured. The administration said that rising costs and declining enrollments have made it impossible to retain the 13 faculty members. The dismissed personnel and the local chapter of the American Association of University Professors, disputing the assertion that a financial crisis existed, sued for damages that might have reached \$10 million. They claimed that no proof for the financial exigency claim had been offered by the university and that new faculty had been hired. The President of the College, Merle F. Allshouse has conducted a vigorous national campaign against the AAUP—so costly that when the matter was brought before the recent annual meeting of the AAUP, the delegates considered this to be another indication of the falsity of

the statement of financial exigency, and voted to censure the College.

In his decision, Judge Antell said academic tenure "is not merely a reflection of solicitude for the staff of academic institution, but of concern for the general welfare by providing for the benefits of uninhibited scholarship and its free dissemination."

"Tenure," he added, "should be vigilantly protected by a court of equity, except where... the survival of the college is imperiled." Even then, the judge added, the college must demonstrate that the "severance of tenured personnel" is "a measure reasonably calculated to preserve its existence as an academic institution." The Bloomfield administration and trustees, the judge said, did not do that. Judge Antell also cited the college's hiring of 12 new faculty members around the time the 13 were dismissed.

The explanation that the newcomers were brought in to meet the demands of a modified curriculum is totally unacceptable, the judge said. "No explanations were given by the College as to why the tenured faculty members could not meet its requirements." "The court is of the view that termination of tenure based on changes in academic programs can be justified only after a faculty evaluation of the problem," the judge added. The Bloomfield faculty had opposed many of the curriculum reforms proposed by President Allshouse.

President Allshouse said the college would appeal the decision through the New Jersey court system. I.C.

Syndicalisation à l'Université du Manitoba

par E. Annandale et N. Losey

À la fin de janvier 1973 l'Association des professeurs de l'Université du Manitoba (UMFA) a présenté une demande d'accréditation à la Commission des relations du Travail du Manitoba. C'était le début de dix-huit mois d'efforts de syndicalisation, efforts qui porteront fruit finalement cet automne.

Depuis le début, des difficultés d'ordre légal et procédural n'ont pas cessé de surgir. Ces difficultés provenaient en partie de la complexité de l'université, du caractère sans précédent au Canada anglais de cette demande d'accréditation et de la variété des sentiments au sein même du corps enseignant devant cette question. L'opposition de certains professeurs a en effet contribué pour beaucoup à retarder une décision de la Commission.

Une première audience, accordée par la Commission le 23 avril 1973, n'a duré que 90 minutes, certaines décisions de la Commission étant déjà contestées par les représentants des professeurs s'opposant à la syndicalisation. Ces questions ayant été portées devant les tribunaux, qui ont maintenu les décisions de la Commission, les audiences ont pu reprendre.

Il fallait ensuite résoudre la question de savoir si l'UMFA est un syndicat. Après un jour d'audience, tous les avocats, représentant l'UMFA, l'Université, et les groupes opposant la certification, ont paraphé un accord selon lequel un référendum sur la syndicalisation devait avoir lieu. Dans le cas d'un vote négatif, l'UMFA retirerait sa demande d'accréditation. Dans le cas d'un vote positif (50%+1) les groupes opposant la certification cesseraient de contester la nature syndicale de l'UMFA. La consultation a eu lieu les 27 et 28 novembre dernier. Avaient le droit de participer au référendum tous les professeurs (y compris le président de l'Université) et les bibliothécaires professionnels employés par l'Université au moment où la demande d'accréditation a été

déposée, soit à la fin de janvier 1973. La participation au référendum était de l'ordre de 85%. La majorité en faveur de l'accréditation était de 57.5%.

Enfin, en mars de cette année, la Commission a entendu les arguments pour et contre l'accréditation. En avril la Commission a annoncé son intention d'accréditer l'UMFA. Elle a décidé en même temps que les bibliothécaires professionnels, les chefs de département feraient partie de l'unité de négociation, mais que les doyens et les officiers administratifs (présidents, vice-président, etc.) en seraient exclus. Elle a en outre annoncé qu'une deuxième consultation serait organisée à une date qui restait encore à déterminer. Il s'agit de demander aux professeurs appartenant ou ayant le droit d'appartenir à des associations dites "professionnelles" dont le statut est déterminé par une loi provinciale s'ils veulent adhérer à l'unité de négociation.

À la suite de plusieurs réunions, il a été décidé que le vote aura lieu le 25 septembre et que le dépouillement des bulletins aura lieu le 30 septembre. Pour que la décision soit en faveur de l'adhésion, il faudra que 50% + 1 de ceux ayant le droit de participer votent en faveur. Cela veut dire que les abstentions et les bulletins annulés compteront comme des voix négatives.

L'identification des "professionnels" présente une autre difficulté à surmonter avant septembre. Mais une fois ce problème réglé, les "professionnels" seront considérés comme un bloc et le résultat du référendum s'appliquera à tous sans distinction. C'est-à-dire, tous feront partie de l'unité de négociation où tous en seront exclus.

Au terme de près de deux ans d'efforts, l'UMFA entrevoit avec soulagement la fin de la lutte pour la certification. Dès cet automne le travail essentiel de négociation pourra être entamé.

\$375,000 awarded to women, minority faculty

In the largest compensatory payment in relation to sexual or racial bias made by any university in North America to date, Rutgers University has recently agreed to pay more than \$375,000 in compensation to women and ethnic minority group faculty members who have been receiving lower salaries than their white-male colleagues.

According to Joel W. Barkan, the regional director of the Federal Office for Civil Rights in New York, the money represents salary increases that put 186 women and 24 minority group members on a par with their white-male colleagues. In some cases the payments were made retroactive to 1969.

The payments grew out of a complaint filed by eight female faculty members three years ago, charging

that they were being discriminated against because of their sex.

As federal investigators studied the circumstances relating to the case of the six women. Mr. Barkan said, they became aware of salary disparities involving others and "informally" notified university officials. The university then set up its own review, and eventually determined that 202 faculty members were entitled to some \$275,000.

The details of the case involving the eight women were worked out this summer, and they agreed to accept the settlement of more than \$100,000, making the \$375,000 total. Retroactive payments to individuals will range from \$3,248 to \$19,574.

In Canada, the University of Toronto made compensatory

payments to 52 full-time women faculty members totalling \$79,851. This followed after a joint faculty-administration committee had examined individual complaints.

Officials at McGill, commenting on the Rutgers payments, said the institution had no plans to copy the New Jersey university, since there was no salary discrimination.

But Professor Rose Johnstone, a member of a McGill committee studying sex discrimination, said it had found the average salary of women professors was lower than those for men.

Professor Margret Andersen who heads the CAUT Status of Women Academics Committee said that a number of other universities in Canada have made compensatory

payments to their female faculty members and that reports on the status of women academics at the University of British Columbia, Queen's University, Waterloo and McMaster have shown that discrepancies between salaries of male and female faculty members exist.

She said that the Committee will devote most of its time this year to settling inequities in salaries, using human rights codes in some provinces to attain the necessary results. I.C.

New Universities Act in B.C.

The long-awaited British Columbia Universities Act was tabled this summer. Professor John Hutchinson, President of the Confederation of University Faculty Associations in B.C. looks at the first document on post-secondary education in British Columbia since 1963.

On Monday, 10 June, 1974 the Honourable Eileen Dailly, Minister of Education, tabled in the B.C. legislature the long-awaited Report of the *University Government Committee*, chaired initially by Mr. John Bremer and latterly by Professor Walter Young of the University of Victoria. At the same time, she introduced a new Universities Act, the first substantial revision since 1963. While the Report was generally well received by faculty members because of its sensible and enlightened approach, the new Act regrettably departed from its recommendations at several critical points. Since the Act bore all the marks of hasty draftsmanship and ill-considered compromise, it was hoped that a full opportunity would be provided for public response and debate in the Education Committee of the Legislature.

Instead, the government argued that the necessary consultation had taken place during the hearings of the University Government Committee, and that it was therefore justified in carrying through the Act with all possible speed. The main reason for this unseemly haste was the government's determination to ensure that the new "interbody", to be called the Universities Council, would be set up in time to examine next year's budgets. It will be recalled that this government has expressed strong views about the need for social responsiveness and accountability in university affairs.

Given a mere forty-eight hours in which to comment on the new act, members of the Council of CUFA/BC prepared and submitted a list of 25 amendments, seven of which were thought to be of vital importance. These were vigorously supported by CAUT. The Act as passed incorporated only a few of these.

The government refused to reconsider the composition of senates, which under the new Act reduces academic faculty to between 38% and 43% of the total membership. It also held firm in excluding faculty members from eligibility for appointment to the Universities Council, although some concessions were made which will prevent the Executive Director from acting without the knowledge and consent of the Council.

At the time of writing, the Council of CUFA/BC is preparing a list of suggested nominations to the Universities Council. Neither its Chairman nor its Executive Director have been appointed. Although the legislation under which it will operate appears to protect the autonomy of the universities, it is too early to say whether B.C. will escape the bureaucratization and centralization which have accompanied the establishment of similar bodies elsewhere. In any case, the government has assured representatives of CUFA/BC that there will be a fuller opportunity to discuss further amendments to the Act before the spring session of the legislature.

Saskatchewan Universities Commission

Public should be informed

by Israel Cinman

The Saskatchewan Universities Commission should operate with as much openness as possible. This is the message that the Canadian Association of University Teachers hopes to convey to the Commission and its newly appointed head, Dr. Stirling McDowell.

In a letter addressed to Dr. McDowell, Professor Donald Savage, Executive Secretary of the CAUT, reiterated the need for fullest possible openness in the Commission's business voiced by Professor J. K. Johnstone, Chairman of the Faculty Association in Saskatoon. Citing the example of the Oliver Commission on Post-Secondary Education in Manitoba which recommends more openness in the affairs of universities there, Professor Savage recommended that the meetings of the Saskatchewan Commission be made open whenever possible, and suggested that all recommendations of the Commission be made public as soon as possible after they have been transmitted to the Minister of Education. He also asked that the minutes of the Commission be sent as a matter of course to university presidents and to the presidents of the Regina and Saskatchewan Faculty Associations.

The Commission was formed following the passage of three acts governing university education in Saskatchewan this spring. The nine member body, charged by the NDP government with overseeing the affairs of the province's three univer-

sities, has the power to hire its own staff and to set up various advisory bodies which will include a business affairs committee, a program coordinating committee to advise on the rationalization of all undergraduate programmes, a graduate studies and research committee and a capital planning and development committee. It is enjoined by statute from interfering in the exercise of certain powers by the universities, in particular the formulation and adoption of academic policies and standards, the establishment of standards for admission and graduation, and the selection, appointments and dismissal of staff. But because there was little attempt made to secure through statute, that the commission would act in an open manner, the CAUT has joined the Saskatoon Faculty Association in requesting more openness.

"Without openness," Professor Savage said, "there will always be a suspicion of political influence, partly because secrecy breeds suspicion and partly because no one will know whether or not the Commission has really made a good case for the reasonable programmes of universities to the government."

The CAUT Executive Secretary, along with Professor Richard Spencer, the CAUT President and Presidents of Saskatchewan University Faculty Associations are hoping to meet the Minister of Education and the Head of the Commission to discuss these problems during the annual meeting of the Western Faculty Associations of the CAUT this month.

Some Chilean refugees placed; majority still jobless

by J. C. M. Ogelsby

The Board of the CAUT made known its concern at the plight of Chilean academics and students in October, 1973. It recommended that the Canadian government handle the matter "with the same sense of urgency that very properly was shown in the cases of the refugees from Hungary, Czechoslovakia and Uganda".

The Canadian government has in the meantime processed more than 1,290 refugees of which some 670 have taken up residence in Canada. The others have gone elsewhere.

Of the 670 refugees (many of whom are children) some 180 have qualified as professionals or students who were forced to leave their posts or universities by the military government. In order to assist these particular refugees the CAUT joined together with the SSRC, the HRCCC, the AUCC, CALAS, WUSC, and, more recently, NUS, to sponsor a programme to find places in academia for displaced colleagues and students. The sponsoring committee obtained support from The Ford Foundation in New York.

On March the 4th the committee hired Sra. Leonor León to serve as

Assistant Director. She began translating the *vitae* of the refugees. By early May we were able to begin to dispatch more than 800 packets containing the background and experience of the individuals concerned. They were sent to Deans, Departments and Colleges. The response has been disappointing. Given the tight financial restrictions imposed on the universities and colleges at this time the response is understandable, but at the same time has more often than not been rather routine. Only a very few respondents attempted to find a solution to this humanitarian problem. It is important to realize that the majority of Chilean professional would benefit from postgraduate training. Few experienced refugees have a doctorate because this has not been expected in their country. The financial demands on departments therefore would not be that great. One need only imagine what it is like to be a janitor or dishwasher with a *vita* that contains distinguished recognition of one's academic achievements to realize the position that most Chilean professionals are in. Their current condition is on the whole quite demeaning and most are eager to obtain modest (circa \$4,500)

assistantships or scholarships in order to apply their knowledge in a familiar atmosphere. Some have eagerly accepted such offers.

The committee has a list of some 34 placements as of 24 July. Only 8 of these have salaries of over \$8,000. The majority have received offers in the range of \$2,500. — \$4,500. for this academic year. Some of the men will be supplying their family needs from these sums.

It is worth noting that our colleagues at York, Toronto and Carleton have been most successful in finding places. The UBC Faculty Association is the only Association, as far as I know, that has attempted to come to grips with the problem. It voted \$800. towards support of a Chilean refugee at UBC. That sum unfortunately falls some \$1,600. short of what is an anticipated need for an individual to maintain himself at his studies during the first difficult year of adjustment.

The hiring for 1974/75 is over, but it should be brought to the attention of interested colleagues that the Chileans will be hoping for a better future in 1975/76. All the professionals have at least English or French. Those who were not fluent in those languages on arrival last February have had 4-6 months inten-

sive training in either English or French since then. The Departments of Manpower and Immigration has paid for six hours training per day for that length of time, and by next February the Chileans will be much more versed in the Canadian way. Canadian academics, themselves at last coming to grips with the idea of what it might be like to be dismissed, have the Chileans as an example of the difficulties that might have to be faced. The major difference is, of course, that Canadians are at least on familiar territory. The Chileans are not.

We would urge that department heads, our colleagues on appointment and graduate studies committees give serious consideration to the Chilean applications. Not all the Chileans are exceptional in their background and experience, but there are men and women who are talented. They should be given the chance to prove themselves, while at the same time providing a differing background experience and adding to the cosmopolitan concept that is the true university.

Professor Ogelsby is the Director of the Canadian University Committee for Refugee Chilean Professors and Students.

On academic freedom as it is guaranteed by tenure

Battleground "Tenure"

Walter Adams

In the current atmosphere of retrenchment, it is perhaps not surprising that the ancient controversy over the institution of tenure has suddenly been revived. Citing financial stringency as their justification, some administrators have found it convenient to condemn tenure as a built-in and systematic commitment to increasing costs. Tenure, they say, deprives them of the flexibility needed to make drastic economic adjustments—i.e., the flexibility to replace high-cost with low-cost labor. In a period of stable or declining enrollments, they claim, tenure inevitably leads to excessive percentages of faculty on permanent status, i.e., "tenuring in." This, in turn, results in institutional arteriosclerosis; a university burdened with an aging, senescent, and perhaps anachronistic faculty finds itself incapable of bringing in a constant flow of new blood—those bright, vigorous, well-trained young men and women who are an institution's only guarantee of self-renewal and self-regeneration.

Students sometimes join in this condemnation of tenure. Tenure, they say, provides the conditions under which bad teaching and mediocre scholarship may be perpetuated. Tenure gives the mediocre the contractual right to continue to be mediocre. It is particularly objectionable when financial distress prevents a university from appointing able young professors to dilute that mediocrity.

Some younger, nontenured faculty members also express concern about tenure which they regard as a guild practice to restrain entry, stifle the competition of newcomers, and preserve deadwood. In a period of shrinking opportunities, they see themselves condemned to running a squirrel cage in which there is no room at the top and in which the squirrels are replaced every time they get high enough up on the wheel to make the tenure jump. Or, they view themselves as a permanent class of academic nomads, destined to eternal wandering while their more fortunate and perhaps less qualified elders preempt the increasingly scarce academic posts under a sort of privileged "grandfather" clause.

Finally, there are those who maintain that tenure is incompatible with affirmative action goals to provide increasing opportunities to women and minorities in higher education. If the academy is to be saddled with tenure and/or tenure quotas, a shrinking market for academic talent is bound to affect the traditional victims of personal as well as institutional discrimination with disproportionate severity. Only if tenure is abolished, they say, can

these newcomers achieve the access to our university system of which they have been deprived in the past.

While there is some grain of truth in the foregoing arguments, none of them—singly or in combination—justifies an abolition of the tenure system. I say this, not only because of my profound conviction that tenure is the indispensable handmaiden of academic freedom, but also because I believe that there are other, less disingenuous mechanisms available to achieve the ostensible objectives of the tenure critics.

Tenure and academic freedom—as you well know—are designed to serve the public good rather than to assure the professoriat of economic security. As Clark Byse and Louis Joughin have so cogently put it:

Academic freedom and tenure do not exist because of a peculiar solicitude for the human beings who staff our academic institutions. They exist, instead, in order that society may have the benefit of honest judgment and independent criticism which otherwise might be withheld because of fear of offending a dominant social group or a transient social attitude.

Academic tenure is designed to protect the academic freedom of professors for many of the same reasons that judicial tenure is instituted to protect the freedom and independence of judges.

Specifically, tenure and academic freedom are intended to serve three social functions. First is the need to protect colleges and universities from external pressures. Recurrent periods of anti-intellectualism have always echoed the prosecutor's conclusion against Lavoisier: "La Republique n'a pas besoin de savants." That is why the statement in 1895, by the Wisconsin Board of Regents, in the celebrated case of Professor Richard T. Ely, who incidentally was one of the founders of the American Economic Association, will always stand as a landmark in defence of freedom of thought and freedom of expression:

...we could not for a moment: think of recommending the dismissal or even the criticism of a teacher even if some of his opinions should, in some quarters, be regarded as visionary... we cannot for a moment believe that knowledge has reached its final goal, or that the present condition of society is perfect. We must, therefore, welcome from our teachers such discussion as shall suggest the means and prepare the way by which knowledge may be extended, present evils... removed and others prevented.

Whatever may be the limitations which trammel inquiry elsewhere, we believe that great state University of Wisconsin should ever encourage that mutual and fearless sifting and winnowing by which alone the truth can be found.

In the absence of tenure, how many professors, I wonder, could count on their administrations or trustees to defend academic freedom with such ringing conviction and civilized maturity?

A second function of tenure is to defend academic freedom from its enemies within the academy. AAUP files are replete with cases of discrimination and harassment directed against professors because of their life styles, their political views, their scientific teachings, or their mere non-conformity to the methodological fads of their disciplines. And, sad to confess, administrators are not the only offenders on this score. In my own profession, there are economists—some of them leaders in the profession—who believe only in God and Milton Friedman and who define any deviation from neoclassical orthodoxy as a heresy to be stamped out rather than as a divergence of viewpoint to be tolerated. There are others of similar prestige and influence who hold that Keynesianism and Keynesianism alone is the quintessence of economic truth. These true believers are not unlike the Padua professor who, in 1610, condemned Galileo for his discovery of the Jupiter satellites by means of his newly invented telescope. "We know," said the Padua savant,

that there are seven planets and only seven, because there are seven openings in the human head to let in the light and air: two eyes, two ears, two nostrils, and a mouth. And the seven metals and various other examples also show that there have to be seven. Besides, the stars are invisible to the naked eye; therefore they do not influence human events; therefore they are useless; therefore they do not exist. (Quod erat demonstrandum)

The incident may be a source of wry amusement today, but its modern counterparts—replayed at colleges and universities around the country—are not.

There is yet a third social justification for the academic freedom guaranteed by tenure. It is the freedom to follow untried trails and to explore the frontiers of knowledge without fear of dismissal before the task can be finished. As President Kingman Brewster of Yale University put it:

If teaching is to be more than the retailing of the known, and if research is to seek real breakthroughs in the explanation of man and the cosmos, then teachers must be scholars and scholarship must be more than the refinement of the inherited stock of knowledge. If scholarship is to question assumptions and to take the risk of testing new hypotheses then it cannot be held to a timetable which demands proof of pay-out to satisfy some review committee.... Boldness would suffer if the research

The above is an excerpt from the Presidential address given at the Sixtieth Annual Meeting of the American Association of University Professors on April 26, 1974 (AAUP Bulletin, Vol. 60, No. 2). The author is the past president of the AAUP.

Tenure... Cont'd on p. 7

De meilleurs plans de régimes de retraite pour professeurs

Georges Frappier

Il y a bientôt vingt ans que l'ACPU se préoccupe de la question des avantages sociaux et son Comité des pensions estime qu'il y a vraiment lieu de créer un jour le bureau mixte AUCC — ACPU dont on parle depuis longtemps pour coordonner l'étude de ce genre de questions. Voici ce que propose le Comité.

« Les universités canadiennes emploient maintenant quelque trente mille professeurs et du personnel non enseignant en nombre au moins égal; pourtant, il n'existe aucun moyen permanent de recueillir systématiquement des renseignements sur leurs régimes d'avantages sociaux. Il semble que l'ACPU ait été la seule jusqu'à présent à s'occuper de la question (pour les professeurs) et encore n'était-ce, rappelons-le, que pour l'étude de cas particuliers vers la fin des années 60. Il n'existe aucun centre capable de fournir des renseignements sur les régimes des autres universités, leur coût, leurs méthodes de sélection des carrières, les résultats qu'elles ont obtenus avec différents régimes et différents assureurs, etc. On trouve la même carence au plan des réglementations et législations fiscales pertinentes, des lois provinciales sur les pensions, etc. Les universités n'ont aucun moyen de s'informer mutuellement de l'expérience acquise par leurs facultés lors de la négociation de régimes d'avantages sociaux.

Les universités et leurs employés investissent des sommes énormes dans divers régimes de retraite, sans même tenir compte des primes versées aux divers régimes obligatoires de l'État. Les professeurs d'universités canadiennes gagnent déjà en moyenne plus de \$15,000 par an et si l'on évalue à quelque 10% le montant des contributions à des régimes non gouvernementaux d'avantages sociaux, versées tant par l'institution que par le professeur, on obtient un montant de contributions dont le total approche les \$50,000,000; et ce chiffre ne comprend pas les versements effectués par les employés non enseignants ainsi que pour leur comp-

te. Il nous paraît donc justifié d'assumer les frais modestes d'un bureau mixte qui pourrait aider les institutions et leurs employés à obtenir le meilleur rendement pour leur argent.

À notre avis les « avantages sociaux » comprennent la retraite, l'assurance invalidité, l'assurance vie, l'assurance médicale et hospitalière; l'assurance soins dentaires et médicaments, et tous autres avantages comme par exemple l'enseignement gratuit ou à tarif réduit pour les enfants des professeurs ou autres employés de l'université. (À nos yeux le congé sabbatique est une question purement universitaire sortant du cadre des « avantages sociaux », mais le bureau que nous proposons pourrait néanmoins être tout indiqué pour regrouper des renseignements à ce sujet.) Grâce à ce bureau mixte, il serait possible d'obtenir d'une seule source des conseils professionnels sur toutes les questions d'avantages sociaux. En outre, un tel bureau veillerait à ce que les renseignements recueillis et distribués soient reconnus comme valables par les administrations, les professeurs et les autres employés et à ce que tous les intéressés reçoivent les renseignements sous la même forme et en même temps. Il jouerait donc à cet égard un rôle identique à celui de Statistique Canada à l'égard des salaires.

Le Bureau de direction de l'ACPU a adopté cette proposition à condition qu'un tel Service consultatif mixte ACPU-AUCC soit financé par des fonds d'origine externe. Le Comité exécutif est actuellement en pourparlers avec l'AUCC.

L'ACPU n'en poursuit pas moins ses travaux sur cette question. Cette année, elle commencera par exhorter les associations locales à examiner la validité de leur régime de retraite. À cette fin, chaque association locale serait priée de désigner un de ses membres pour correspondre avec le Comité des pensions de l'ACPU. Ce correspondant sera le responsable des questions de pensions au niveau local. Plusieurs universités ont apparemment un Comité mixte des pensions composé de professeurs

et d'administrateurs. L'ACPU veut s'assurer que toutes les associations locales s'intéressent activement, d'une façon ou d'une autre, à la question des pensions dans leur université. Pour faciliter ce travail de « vigie », l'ACPU fera parvenir à chaque correspondant des renseignements sur les divers aspects de la retraite: assignation, transfert, rendement des fonds, indexation, suffisance de la pension des nouveaux retraités.

Il est très possible qu'au cours de sa carrière un particulier se trouve soudain en présence de problèmes d'assignation ou de transfert sans toutefois prêter attention à d'autres aspects, tels l'indexation et le rendement des fonds. Signalons par exemple qu'une étude récente semble faire ressortir que les fonds de retraite des universités ont un rendement inférieur aux autres fonds de retraite placés en fidéicommis; c'est ainsi que « pour la période de quatre ans de 1969 à 1972 le rendement moyen de l'ensemble des fonds s'est situé à 8.26% alors qu'il n'a été que de 6.31% pour les universités. » Pour l'exercice 1972-1973, il semble que le rendement des caisses distinctes de retraite de vingt universités canadiennes ait varié de 1.5% à moins 6.9%. Ceci n'est qu'un exemple du genre de fâcheuses surprises que l'on peut avoir dans le domaine des pensions. On peut en découvrir bien d'autres en lisant l'ouvrage de Ralph Nader et Kate Blackwell: « *You and Your Pension* » (ED.: Consumer Reports.).

La retraite est un sujet qui intéresse assez peu ceux qui n'y sont pas encore. Peut-être est-ce donc aux retraités eux-mêmes qu'il conviendrait de faire appel. L'ACPU organise un Comité de professeurs retraités et cherchera le financer par le programme du Gouvernement fédéral *Nouveaux Horizons*. Ce Comité commencera par dresser un répertoire de tous les professeurs retraités comportant leur nom, adresse et spécialisations universitaires. Il leur adressera par la suite un questionnaire qui leur permettra de nous communiquer leurs problèmes et facilitera l'action de l'ACPU.

Better pension arrangements for faculty members

Studies in fringe benefits have been of concern to CAUT for the past twenty years, and even though the long-talked joint AUCC-CAUT fringe benefits agency is still non-existent, CAUT's committee on Pensions feels it can justify its establishment in the future, as we can see from its proposal.

« Although Canadian universities now employ about 30,000 faculty and at least an equal number of non-faculty there is no continuing and systematic collection of information about their fringe benefit plans. The only work in the past (in so far as faculty are concerned) appears to have been done, as already indicated, on an ad-hoc basis by CAUT during the late 60s. There is no single source to which one can turn to get information about other university's plans, their costs, their methods of selecting carriers, their experience with different plans and different insurers, etc. Nor is there a single source of information about relevant tax law and regulations, provincial pension benefit acts etc. There is no arrangement by which one institution shares with its fellow universities the benefits of their own and their faculties' experiences in negotiating fringe benefit plans.

The amount of money being put into various pension plans by universities and their employees is enormous even when one excludes contributions to the various government plans which are compulsory. Average faculty salaries in Canadian universities already exceed \$15,000 and if we assume that fringe benefit contributions for non-government plans — by both the institution and the faculty member — are roughly 10% then we have total contributions of close to \$50 million. And this makes no provision for contributions by and on behalf of non-faculty employees. A modest expenditure on a joint agency to help ensure that the in-

stitutions and their employees get the best value for their money would seem to be warranted. We include in "fringe benefits" pensions, disability insurance, life insurance, medical and hospital insurance, dental and drug plans, and such matters as free or reduced tuition for faculty children or other university employees. (We regard sabbatical leave as an academic matter and not a "fringe benefit" but nevertheless the proposed agency may be an appropriate vehicle to use to collect information on sabbatical leave.) The joint agency is not only appropriate because a single source of professional competence seems desirable to provide advice on such matters as fringe benefits but it should also ensure that the information collected and distributed will be accepted by administrations, faculties and other employees as valid and that all parties will get the material in the same form and at the same time. In this respect it should serve much the same function as Statistics Canada does in respect to salaries.

The CAUT Board has adopted the proposal provided the establishment of a joint CAUT-AUCC consultative service is funded by outside money. At this moment, the Executive is in the process of discussions with AUCC.

Meanwhile, CAUT will continue its work in the area. This year, priority will be given to encouraging local associations to review the adequacy of their pension arrangements. In order to do so, each local association will be asked to nominate a corresponding member to CAUT's Committee on Pensions. This corresponding member will be the one responsible for pensions at the local level. It appears that, in many universities, there exists a joint committee on pensions, with faculty members and administrators sitting on it. CAUT wants to be

sure that all local associations, in some way or other, participate in the pension deliberations at their university. To do his "watch-dog" job, the corresponding member will be kept informed on various aspects of pension — vesting, portability, performance of funds, indexing, and the adequacy of pensions for those newly retired.

At one point in his career, an individual may be faced with the striking problem of vesting or portability, but other aspects such as indexing and the performance of funds may remain unnoticed. Just for the sake of awareness, it should be mentioned that, according to a recent study, it would appear that university pension funds do not perform as well as other trusted pension funds "for the four-year period 1969-72 when the average rate of return was 8.26 per cent for all funds versus 6.31 per cent for universities." For 1972-73, it appears that, for twenty Canadian university segregated pension funds, the internal rates of return ranged from 1.5 per cent to minus 6.9 per cent. This is just one of the many unpleasant little stories that may happen in the pension area. For more of these "horrors", one can read *You and Your Pension* Ralph Nader and Kate Blackwell (Consumer Reports ed.).

It is difficult to get non-retired persons interested in the area of retirement. One way of doing this may be to give a voice to those who live this fact — the retired. CAUT is creating a committee of retired faculty members and it will be seeking funds from the New Horizon Program of the Federal Government. Its prime task will be to establish a register of all retired professors, their names, addresses and areas of academic specialty. Then, through a questionnaire, these retired people could tell us their problems, to which CAUT should usefully address itself.

and scholarship of a mature faculty were to be subject to periodic score-keeping, on pain of dismissal if they did not score well. Then what should be a venture in creative discovery would for almost everyone degenerate into a safesided devotion to riskless footnote gathering. Authentication would replace discovery as the goal. The results might not startle the world, but they would be impressive in quantitative terms and invulnerable to devastating attack.

In short, it is society which benefits in the final analysis from the scholar's freedom to devote a lifetime, if necessary, to basic research and the pursuit of truth.

If, then, tenure is to be an inviolable principle, what about the practice of some institutions, faced with what they claim is financial stringency, to decree a hiring freeze on all tenure-stream appointments and to impose tenure quotas? As I see it, such short-run expedients are to be avoided until other, less deleterious measures have been tried. These include:

1. a freeze on the proliferation of nonteaching administrators;
2. a freeze on salary increases for personnel (mostly administrators) in the \$25,000-plus bracket;
3. a reduction in the mandatory retirement age (which at some institutions is still seventy) to sixty-five or even sixty-two;
4. an option for faculty members to accept half-time or one-third-time appointments (i.e., partial retirement) with a proportionate reduction in pay;
5. incentives to encourage voluntary retirement after thirty years of service or after age sixty.

Further, before embracing any hiring freezes or tenure quotas, let us make certain that the institution's financial difficulties are genuine. Before closing the gate to some bright young scholar, or barring the promotion of a deserving nontenured professor, we should have a look at the institution's books. We should know the facts before submitting to the knife. And, if surgery is indeed imperative, let us make sure that the decisions of where to cut and by how much are made after full consultation with the faculty, rather than by unilateral administrative fiat. Let us be certain that the administration which pleads poverty to justify cutbacks does not at the same time continue to expend scarce funds on artificial turf in the football stadium, or construct palaces for its top administrators, or pursue accustomed plans for bureaucratic empire building.

Two more caveats with respect to the tenure battle. I trust you will not be trapped by such slogans as financial stringency into surrendering basic rights and fundamental principles. Remember that an administration which pleads distress may—through lack of foresight, imagination, and creativity—have brought on the emergency in the first place. Remember that financial distress may simply reflect its past failures of planning and its general incompetence. Ask yourselves whether such an administration should be entrusted with discretion to exercise additional flexibility or to tamper with the tenure system toward the end of insuring the institution's well-being.

Finally, I trust you will not be trapped by pressures of retrenchment into fratricidal strife—young against old, male against female, minorities against whites, nontenured against tenured. Remember that the deadly game of divide-and-rule is a venerable establishment device to maintain and retain power. It is a game devoid of both private and social advantage.

Quebec approves merger

Loyola + Sir George = Concordia

The Quebec government has finally approved the merger of Sir George Williams University and Loyola College. The new institution, Concordia University will have about 25,000 full and part-time students, equalling roughly in size to McGill University.

Officials at both universities waited for the verdict for a year, while legal arguments over the move were discussed in Quebec.

More on Concordia in the next issue of the CAUT Bulletin...

Canadian Association of University Teachers Association canadienne des professeurs d'université

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Aftermath to the Banfield episode

Caput suspends Schabas, Leah

Two University of Toronto graduate students, charged with disrupting a visiting lecture were recently suspended after Caput, the university disciplinary body established according to the laws of Ontario, found both guilty of the charges arising out of the March 13 incident when Professor Edward Banfield was prevented from delivering his address at a meeting organized by the American Studies Committee.

Anthony Leah, an MA student in Sociology was found guilty on three counts and suspended for three years. William Schabas, a Ph. D. student in history was found guilty on four charges and was suspended for four years.

According to the Caput statement, Schabas was suspended for four years because "the threats and intimidation... found to have been employed by you (Schabas) was more aggravated misconduct" than that of Leah.

A statement released by the President of the University, Dr. John Evans, said the basis for Caput's judgment was of far reaching significance to the university community, "since it deals with the critical issue of freedom of speech as

a fundamental right in Canada."

According to the provisions of the University of Toronto Act, the statement said, the sanctions are implemented without the requirement for further review or appeal. However, there is the right for the defendants to appeal to the Governing Council on the nature of the penalty.

Leah and Schabas had argued that the Students for a Democratic Society had the right to prevent speakers they judged racist from speaking at the university.

Following the announcement of the verdict, Leah called a press conference where he charged Caput with "ignoring most of the issues in the case" and passing a "sentence which I think a lot of people will find very harsh." He went on to say that he considered Caput had acted out of vindictiveness and had acted beyond its powers. He said that he will appeal the decision.

The parents of William Schabas, both members of the University of Toronto faculty, said in a statement that they found the sentences imposed by Caput "extraordinarily harsh." "Two academic careers have been effectively destroyed."

Prior review procedures in research

Sir:

Periodically the question arises as to whether there should be formal procedures for the review of research involving human subjects prior to the conduct of the research. The presumption is that if a faculty member or student about to engage in a research project is subject to such prior review, then research will be conducted with greater responsibility.

I personally object to prior review procedures on the grounds that, on balance, the danger to academic freedom which such procedures can introduce is greater than the danger to the rights of subjects in a University setting.

In addition to the intrinsic value, and the value to society, of academic freedom, there is a question of the effect of such prior review procedures on the accountability of the University. Can these prior review procedures themselves contribute to an increase in the accountability and legal liability of the University?

Certainly, in those cases in which the University, as a formal agent, has contracted to do a piece of research,

receiving monies, and using those monies in the support of the research, it has, as a corporate body, assumed certain responsibilities; and it is in order that there be some prior formal procedures to guarantee that the research is conducted properly in accordance with specified guidelines, etc.

However, it seems to me that, in other cases, the very adoption of such prior review procedures itself adds to the University's accountability needlessly. There is an ordinary expectation that faculty members and students do research in ways that seem right to them; and there is usually no expectation that the University is accountable for the activity of all people who are associated with it. If, however, a University adopts prior review procedures it could be interpreted as an assertion on the part of the University that it holds itself accountable and is prepared to assume responsibility for every research activity engaged in by its members. This is a burden that no modern University can reasonably accept.

The question of the degree to

which a University might be adding also to its legal liability by prior review of research is beyond my competence. Yet, it would appear that a University should explore the consequences for its legal liability before it permits any prior review procedures.

David Bakan
York University

In Canada...

Professor Warwick is wrong when he states "The Theology of Citizenship", *Bulletin*, June 1974) that David Easton is one of a group of eminent Canadians "now working in the United States". David Easton works in Canada—at Queen's University.

J. W. Grove
Head, Department of Political Studies
Queen's University

Letters of Obscene Men XVI

A Letter of Dismissal

Prof. Hardouin de Graetz to Dr. Crotus Hrubeanus

This letter is to give you official notice of termination of contract as of one year from today, as required by the college code and the national association.

The personnel committee having met etcetera etcetera, voted this decision without dissent. The general feeling is that your strong points (and we recognize that you have some very strong points) are, however, just those we wish to avoid, and your weak points, frankly, are those we could wish you stronger in.

Certainly the amount and scope of your publications give adequate promise of development in future, although many of your colleagues feel it rather inappropriate to present creative work for consideration by a department concerned primarily with the teaching of literature.

Your interests are wide but, it is felt, wanton. The quality of your mind is not in dispute; however, all this has so far worked merely to create friction within the department, even aside from the problems arising from the problems arising from teaching.

The need to accommodate senior staff has unfortunately prevented us from taking full advantage of your specialized teaching, and your talents do not run in the north-south direction of elementary exposition, as you yourself have so often enjoined us. You have once or twice been warned in writing of student complaints concerning what I have chosen to call your excessive seriousness about what we call "English,"

And yet while the proportion of those among our enrollment majoring in English drops every year, the proportion of F's on your final grade sheets continue, as I have verified propriu oculo, the same. You must consider that in this modern world of today it is for the modern leopard himself to change his spots, or be lost.

These teaching problems were of course the decisive factor. Although some mention was made, I believe, of personal conflicts with certain of your colleagues, your relationship with the director of freshman English's ex-wife did not come up, nor did any such considerations enter into the final decision. Let me heartily assure you, therefore, that the committee has been guided solely by its desire to contribute to our university's continuing and uncompromising pursuit of the third-rate.

Regrettably,
H. de G.

G. N. Gabbard
University of Nevada, Reno

ETV, Copyright and Collective Bargaining

Provincial governments are slowly inching their way into the vacuum left by the CBC's withdrawal from direct involvement in Educational Television. Professor John H. House, Chairman of the CAUT Copyright Committee, looks at the recent CAUT role in the area.

After twenty years of discussion, experimentation and sporadic activities, we are now witnessing a concerted effort to fulfill the promise held for the use of non-print materials in education, both through increased direct intervention of provincial governments in the development of ETV corporations, and in the creation of active media production centres within universities. As we have seen, these seemingly disparate thrusts are not unrelated, with agreements being made between universities and provincial corporations for the production and use of materials.

This development raises serious questions for faculties about standards of teaching and scholarship, and for the individual

teacher about his own professional role and economic well-being. The best practical means of safeguarding both academic interests and the interests of the individual teacher is through the use of copyright law and contractual agreements based on the principles of copyright. To this end, the CAUT has been active on three fronts.

The first is through intervention with the federal government, principally the Ministry of Corporate and Consumer Affairs, making direct representation in relation to the development of the proposed new Copyright Act. In this connection CAUT has formed a national consortium with the Association of Canadian Television and Radio Artists (ACTRA) which

is a trade union representing writers and performers. This has turned out to be a most useful alliance.

The second is through the development of Guidelines Concerning Copyright Policies of Universities, which were approved by the Council in June and appear in the Handbook.

These guidelines seek to protect both the legitimate interests of the university and the rights of faculty members involved in the production of film or tape materials. The rights of faculty members are twofold: the right to retain control over recorded materials as to its form and intended use, and the right to a reasonable economic return. A sample contractual form which translates the guidelines into working documents has also been developed and has been distributed to all faculty associations.

We are very pleased to report that the University of Alberta has recently adopted a copyright policy which exemplifies the CAUT Guidelines, and that several other universities are considering similar policies. We are not pleased to report, however, that many universities either do not have any policies on copyright, or have policies which are directly antithetical to the CAUT Guidelines. The rapid development of the creation and use of recorded materials creates an immediate need for such policies to be adopted.

As pointed out during the CAUT Council meeting, this past year has seen a significant advance in what will undoubtedly become the most important way to bring pressures on universities to adopt reasonable policies to prevent and settle disputes, the process of collective bargaining. All associations engaged in collective bargaining are urged then, to make this contract on copyright a part of their collective bargaining agreement.

The third front is in relation to the development of provincial government ETV corporation in the Western and Central provinces, and joint ministerial discussions along these lines in the Maritimes, which has necessitated the creation of new forms of organizational structures.

The original thrust was in Ontario with the establishment of the Ontario Educational Communications Authority. OCUFA pioneered in the development of new structures by forming the Association of Artists and Educators, a consortium of OCUFA, ACTRA, and the Ontario Teachers' Federation; three organizations whose interests, though not identical, were nevertheless parallel. This consortium after two years of difficult negotiation, signed agreements for writers and performers with OECA covering all of their members.

Saskatchewan and Alberta have recently established ETV corporations, and a similar action is being considered in British Columbia. In Saskatchewan, a consortium of CAUT, the two faculty associations, ACTRA and the Saskatchewan Teachers' Federation has been formed to negotiate agreements through collective bargaining with the corporation. In Alberta, a consortium is being formed to begin negotiations with the corporation this fall, composed of the CAUT, CAFA, ACTRA, and the Association of Alberta College Faculties. It is hoped the Alberta Teachers' Association will soon be a member of this consortium. Preliminary discussions have been held in both British Columbia and the Maritimes with the view of forming consortia if those governments are to form corporations.

Through these means, the CAUT is attempting to meet the serious questions raised by the increased use of recorded materials in education. With provincial ETV corporations, both academic interests and the interests of teachers can be safeguarded through contractual agreements based on the principles of copyright secured through collective bargaining.

With individual universities, both sets of interests can be safeguarded by the adoption and use of copyright policies based on the CAUT Guidelines. Those associations engaged in collective bargaining have a means of securing such policies by making them a part of collective bargaining agreements.

UNIVERSITIES UNDER C.A.U.T. CENSURE

The following university administrations have been censured by the Council of the Canadian Association of University teachers:

Mount Allison University (November 1970)
Simon Fraser University (May 1971)

(Under the third stage of censure imposed on these two universities, the C.A.U.T. warns its members not to accept employment with the censured university. Page 69, C.A.U.T. Handbook.) Also censured are:

Université du Québec à Montréal (November 1970)
University of Victoria (May 1971)
University of Ottawa (May 1972)

UNIVERSITÉS FRAPPÉES DE CENSURE PAR L'ACPU

Le Conseil de l'Association canadienne des professeurs d'université a frappé de censure les administrations des universités suivantes:

Université Mount Allison (novembre 1970)*
Université Simon Fraser (mai 1971)*

* (A la troisième étape de la censure prononcée contre ces universités, l'ACPU avertit ses membres de ne pas accepter d'emplois auprès d'elles. Voir la page 71 du Guide de l'ACPU.)

Sont également frappées de censure les universités suivantes:

Université du Québec à Montréal (novembre 1970)
Université de Victoria (mai 1971)
Université d'Ottawa (mai 1972)

Number of settlements increased; 12.6 per cent more in wage accords

Wage settlements reached by collective bargaining in the second quarter of 1974 included average pay increases of 12.6 per cent, the federal Labor Department reported recently.

It said the figures are based on analysis of collective agreements covering 500 or more industries outside the construction business. Ninety-six collective agreements were reached between April and June 30, the department said.

by Donald C. Savage

Three faculty associations affiliated with the CAUT are now certified bargaining agents under their provincial labour legislation. These are the University of Manitoba, St. Mary's University, and Notre Dame of Nelson. The faculty association at the University of British Columbia has voted to certify and will be approaching the British Columbia Labour Relations Board shortly. At St. Thomas University in Fredericton the association requested voluntary recognition. When their request was not answered by the president, they were authorized to proceed to certification which will likely take place this month. At all these universities the faculty favouring certification considered that they lacked real power. The manifestation of this differed from place to place.

The smaller universities

At Nelson, St. Mary's and St. Thomas there were traditions of presidential authoritarianism originally based on clerical paternalism. The secularization of St. Mary's and of Nelson made little difference. This favourite liberal nostrum usually results in a lay president who is more Catholic than the Pope, less learned and less humane than the priests, and alas, more credible than the clerical authorities. In all three cases faculty considered that the university was run capriciously by the president without any real constitutional structures. At Nelson the president and the board, for instance, announced the abolition of tenure. This was their style on most matters. At St. Thomas there were repeated individual grievances appealed to CAUT, since there was no effective internal structure to deal with them. At St. Mary's the present president made a public speech attacking faculty members in general even before he took office. Since then there has been an endless series of individual and collective grievances appealed to the CAUT. On all three campuses it was clear that traditional university structures for settling problems either could not be established or could not be made to work. In the particular case of St. Mary's, CAUT formally proposed a structure of negotiation and grievance resolution outside the Trade Union Act. This was turned down without much negotiation by

the president and by the board. It is not surprising that the main thrust of collective bargaining, although not the exclusive one, at such institutions has been to establish constitutional rule and fair procedures.

All too frequently, the university regulations give no real rights to the untenured but rather a veneer of credibility to administrative acts. An untenured professor who is unjustly denied tenure may well find that he can only get redress by making a public fuss, thus driving the university to dicker with the CAUT and ultimately agree to an *ad hoc* settlement—often by arbitration. This is an absurd and degrading way to handle contracts of professionals. As a consequence, faculty are certain to insist on a grievance procedure that allows for a fair hearing and a final resolution by arbitration of disputes relating to renewal, the granting of tenure and dismissal. Collective bargaining directed towards these ends is merely a continuation of the long standing CAUT demand that faculty contracts be judged on their academic merits and by constitutional and fair procedures—not by caprice or prejudice nor by endless dickering between the faculty association, the CAUT and the president of the university.

Many critics of collective bargaining consider that it will merely exacerbate conditions on such campuses. This has not been the case at St. Mary's. For the first time the elected leaders of the faculty along with the Executive Secretary of CAUT sat down on a continuous basis with the president and other members of the administration and negotiated on a vast range of topics. Agreement was reached on many important items that had been unresolved for years. It is true that the union eventually decided to go to conciliation to try to settle the outstanding matters but nevertheless the experience to date has been therapeutic for all concerned. There can be no doubt, however, that a failure to reach agreement in the conciliation process will restore St. Mary's to customary ill temper. The experience of St. Mary's and Nelson also suggests that administrators and board members have much to learn about negotiating with bargaining agents and about the rights and

practices of Canadian unions. The habits of a lifetime die hard.

Manitoba and U.B.C.

Many faculty in larger institutions consider events in places such as St. Mary's or St. Thomas as an aberration that is outside their ken. However, the situation at Manitoba and U.B.C. was different only in style, not in substance. At Manitoba the faculty perceived a rapid growth of academic bureaucracy with the arrival of a new president. It seemed to them that the new bureaucrats wished to run a managerial system not unlike that of General Motors. Manitoba had more of a constitutional structure than the smaller universities already mentioned. In fact as late as 1970 some members of the faculty association considered that the association might just as well be wound up since the faculty had secured representation on the senate and the board of governors. However, it turned out that such representation was only marginally useful since the senate was too large to be effective and was dominated by a bloc of ex-officio members somewhat on the model of British colonial legislatures. Such bodies were unlikely to take positions differing from that of the administration. These shortcomings were recognized by the Oliver Commission but they still exist. The consequence of faculty frustration in regard to this structure was the decision to proceed to certification. Such administrative initiatives as the unsuccessful attempt to secure tenure quotas merely confirmed the view of the majority.

At U.B.C. no one considered the president to be either an autocrat or a manager in the pejorative sense of that word. It would indeed be hard to picture the president of U.B.C. as an ogre. However, for many years the university has been governed, not by a dictator, but by an academic gentry composed of the president, the deans, a few other officials and board members, and some senior professors. It was a paternalism as pure as that of any Catholic institution but more lightly applied. For many years it was accepted by the majority as a reasonable way to order things on the campus. It was humane by its own lights but gradually grew out of touch. There were no

Collective Bargaining : the state of the nation



effective procedures governing the handling of contracts, and there still are not. Anyone who protested their non-renewal or denial of tenure could find themselves in a remarkable Catch 22 situation. In one case the professor demanded reasons. The reason given was the majority of those entitled to vote concerning his contract had voted against him. There was no appeal mechanism, but under pressure, an *ad hoc* one was created. This body came to the same conclusion and offered the same reason. When finally the university disgorged more information (after the faculty member had departed), the majority referred to turned out to be a minority.

More and more faculty members at U.B.C. and elsewhere are fighting non-renewals or denials of tenure. Five years ago a professor could wish perdition on his colleagues and go somewhere else. Now, because of the job market, he cannot do that. So he stays and fights. Furthermore the lack of procedures have become apparent not only in regard to renewals and tenure but also with the distribution of merit pay. Many people wonder whether merit is defined as excellence or deference.

But U.B.C. indicates that the issue is not solely one of the handling of academic contracts. The faculty at U.B.C. revolted against the refusal of the administration or the board to conduct serious negotiations on salaries and fringe benefits. For many years the faculty association had submitted a salary brief in the form of a petition to the board which may or may not have had some impact on that body. This last year the association engaged in a very elaborate analysis of salary and made some recommendations to alter the salary structure as well as traditional wage demands. No negotiations took place with the board. In practical terms the association might just as well have not bothered to write a brief since the board merely announced its own policy which bore no relation to that of the faculty association. Two matters were at issue. One

at some institutions the main thrust of collective bargaining has been to establish constitutional rule and fair procedures

was the sum of money. But the other, and more important one, was that faculty were fed up with paternalism in regard to salary matters. Faculty members were also aware that comparable groups in society such as the civil servants and the secondary school teachers were faring better in the face of inflation than university professors and that most of them were unionized in one way or another.

Some general trends and problems

Generally speaking the critics consider that certification is demanded by a few firebrands and radicals on the campus. Nothing could be further from the truth. In some cases the membership forced the policy on the leadership of the faculty association. This was clearly the case at U.B.C. where the faculty association executive originally wished only to study collective bargaining as an option but a heavily-attended association meeting voted to proceed forthwith. The perils of underestimating the desires of the membership can be seen at St. Mary's where CUPE attempted to raid the CAUT affiliate by campaigning on a platform suggesting that they favoured unionization unequivocally while CAUT was hesitant. The resultant battle was bitter and costly although CAUT ultimately won. Despite this and despite the transformation of CUPE's only beachhead, the Collège de Bathurst, into a community college, it would be rash to assume that CUPE has done anything other than lie low.

Some trends in the defining of units can be seen. As in Quebec, labour boards across the country are

defining bargaining units which include chairmen. Generally speaking deans and higher officials are excluded. A good deal of discussion on collective bargaining has focused on this point, but it now seems to be a non-issue. More significant is the question of professionals on university staffs. Some have argued that there is no community of interest between professional schools and the rest of the country. CAUT has always rejected this argument whether or not collective bargaining was involved. As noted below, the recent precedents in Quebec all favour a single bargaining unit of faculty on the grounds that they are defined by the fact that they are all university teachers and employed as such, not to give medical, legal or other professional advice to the university. This issue did not arise at St. Mary's or at Nelson. But it did in a rather acute form at Manitoba where the Labour Relations Board ducked the issue of community of interest and interpreted a clause in the Manitoba legislation to mean that those faculty who were governed in relation to their profession by a Manitoba or federal statute would have the right to decide separately whether or not they wished to join the bargaining unit. That vote will be held in the latter part of September.

The issue of the representation of librarians is also significant. At Manitoba and Nelson the professional librarians are part of the unit. At St. Mary's the Labour Relations Board, at the request of the university, excluded the librarians from the unit. The librarians remained members of the association and of the CAUT who then successfully petitioned to become their bargaining agent.

Finally the issue has arisen in Ontario of two-tier bargaining. OCUFA is interested in negotiating with the provincial government on financial matters. Certain faculty associations in

Con't next page

Le Syndicalisme dans les Universités : Francophones vs. Anglophones

par Marie-Claire Pommez

Dans un récent exposé miméographié le professeur André C. Côté¹ a examiné les facteurs mentionnés par B. Adell et D. Carter dans leur rapport² et montré comment ces facteurs se sont traduits au Québec: la diminution de l'emploi, l'inquiétude quant à la sécurité de l'emploi, la croissante intervention de l'état, la bureaucratisation de l'administration universitaire, le rôle des étudiants dans la gestion universitaire, le développement du syndicalisme dans des

secteurs connexes, l'absence et la nécessité d'une procédure de griefs acceptables et d'un organisme pouvant efficacement représenter les professeurs.

Au Québec, comme le signale le professeur André Côté, les réformes apportées au Code du travail ont certainement joué en faveur de la création de syndicats accrédités, en fermant ou en cessant de favoriser d'autres avenues jusque-là possibles.

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Ontario are thinking about certification at the local level. These are not, of course, incompatible and may well become a pattern in other provinces sometime in the future.

Developments in Quebec

Quebec pioneered collective bargaining in the university. The first of real impact to do so was the Université du Québec à Montréal. Some of the reasons were peculiar to UQAM and to Quebec. Others would be repeated across the country. UQAM was founded as a new and innovative university in September, 1969. In some ways its founders had hopes similar to those who created Simon Fraser. The atmosphere was expected to be open. Structures were not traditional. It was possible to conceive of collective bargaining without offending any eternal verities on the campus. But UQAM turned out not to be the New Jerusalem, and the faculty had to contend with a strong and authoritarian administration. This in turn fueled the fires of collective bargaining. Furthermore the faculty was young and nationalist, and the combination of trade unionism and nationalism was then much in vogue.

It was not easy to form a union at UQAM. There were some false starts before a syndicate was finally established. It in turn found great difficulties in negotiating its first collective agreement. The labour code required that the two parties negotiate in good faith but that they complete their negotiations within a specified time. The union considered that the administration was deliberately stalling in order to allow the time to run out. It took a brief strike in 1970 to persuade the administration to negotiate and to conclude an agreement. The union at UQAM has now negotiated its second contract and this too took a strike threat before final settlement. Collective agreements were also signed at the other campuses of the University of Quebec at Trois Rivières, Chicoutimi and Rimouski but by unions independent of the UQAM campus.

because of the job market, more and more faculty members are fighting non-renewals or denials of tenure

During the last academic year all the other francophone campuses in Quebec have decided to follow suit. Sherbrooke was the first. Initially Sherbrooke attempted to organize separate unions for each faculty, partly because the engineering faculty had secured bargaining rights without opposition some years ago. However, the courts held that this arrangement was not possible under the new labour legislation. Sherbrooke then abandoned this strategy which had evoked interest in other parts of the province as well. This year the Syndicat des Professeurs de l'Université de Sherbrooke (SPUS) was certified as the bargaining agent of the faculty and is currently negotiating its first collective agreement. The faculty at Laval and Montreal have both presented demands for certification to the Commission of Enquiry established by the Labour Board. This trend has not, however, been followed at the English-speaking universities in Quebec although there has been some interest on the Loyola campus.

Certain trends have appeared in these Quebec

decisions. Except for historical anomalies it is clear that the employers and the Labour Board favour a single bargaining unit for professors at a particular university. Demands for separate representation by faculty or faculties have been lost at Trois Rivières, Laval and Sherbrooke. There is also a trend in the definition of the unit to include chairmen. At UQAM the Labour Board held that vice-deans were also members of the unit.

Another problem has been affiliation. The faculty at UQAM decided to affiliate with one of the major federations of labour in the province — the Confédération des Syndicats Nationaux (CSN). However, most of the rest of the universities opted for the Fédération des associations de professeurs d'université du Québec (FAPUQ) which has been allied with CAUT and with whom negotiations are currently proceeding with the hope of establishing more formal links. Both the CSN and the teachers' union (the CEQ) are trying hard to raid FAPUQ, but this winter FAPUQ defeated both the CEQ and the CSN quite handily in an election at Sherbrooke. However, it is clear the FAPUQ must deliver the goods in the area of collective bargaining if it is to maintain its hold on the major universities.

When FAPUQ was first formed, it was the hope of the founders that it might negotiate on a province-wide basis for all faculty members. It proved impossible to persuade all the local associations to accept such a policy, and FAPUQ has, therefore, concentrated on securing certification at the local level. However, it is clear that more and more the Quebec government is trying to centralize all decisions relating to the universities. This is likely to impel the local faculty unions to consider two-tier negotiations, one for the "masse salariale" with the provincial government and the other to divide the revenues and to settle local problems with each individual university administration. Some, particularly at McGill, fear that this will inevitably result in even more centralization in Quebec City. There remain other difficulties so long as all the campuses of the Université du Québec remain outside the FAPUQ, and the issue is by no means resolved.

In conclusion

Collective bargaining is now an established fact in both English and French Canada. It will almost certainly grow but not as fast as the zealots desire or the critics fear. The establishment of new structures is a difficult process and will take time. It will require adaption to the university milieu. It will not be desired by every faculty association. The constitution of CAUT, however, allows for flexibility; local associations are free to certify or not as they desire. But there can be no doubt that collective bargaining is the most significant development on Canadian campuses in recent years and will have an impact far beyond the campuses which actually become legal bargaining agents.

Professor Savage is the Executive Secretary of the CAUT.

Ces facteurs, ou l'identification de certains problèmes en face desquels le syndicalisme a été avancé comme une réponse ou comme une fin inéluctable, ont servi souvent comme arguments «pour» la syndicalisation. Au Québec d'autres facteurs peuvent avoir spécifiquement joué et certains, parmi ceux mentionnés, ont eu un rôle positif que l'on n'a peut-être pas tellement souligné il me semble jusqu'ici.

Changements dans la composition du corps professoral

La création de nouvelles structures, l'ouverture ou la multiplication des programmes, la création de nouvelles universités ont certainement eu pour effet d'entraîner une baisse de l'âge moyen du professeur. Mais il y aurait lieu peut-être d'étudier le profil de ces professeurs: certains engagés d'abord dans des cegeps ou des collèges ont ensuite opté pour un poste à l'Université. Le mouvement syndical déjà bien implanté au niveau pré-universitaire n'était pas pour eux une nouveauté. Si on considère la situation ailleurs au Canada, ce profil de carrière est sans doute moins répandu. La carrière classique du professeur d'Université se préparait traditionnellement pendant bien des années et depuis pratiquement le collège ou tout au moins durant les années d'inscription à l'Université. Si on considère la situation de ces

les problèmes posés par le code du travail ou la négociation au Québec ne sont pas essentiellement différents. Le contexte socio-politique offre de plus grandes différences.

transfuges et on les compare aux universitaires classiques, ne pas être syndiqué était la nouveauté ou l'un des éléments ne figurant plus dans la définition de sa situation de professeur. Pour l'universitaire classique, telle situation allait de soi, le syndicalisme représentant la nouveauté étrangère à son ambiance de travail et étrangère à sa conception du professeur. Il y a donc un facteur d'exposition au syndicalisme soit en tant qu'étudiant soit en tant que professeur qui n'existait pas pour les générations plus âgées.

Dans le Canada anglophone ce phénomène semble moins marqué qu'au Québec. Le Canada anglophone n'a pas connu les changements institutionnels et les changements de programmes et d'orientation qu'a connus le Québec durant ces dernières années: quand il les a connus, ces phénomènes étaient moins marqués et je pense qu'on ne peut guère les comparer. Le mouvement et la présence de ces «transfuges» qui entraînent avec eux une expérience du syndicalisme semblent moins répandus.

Relations d'identité entre le prof. d'université et le professeur du Secondaire

Au Canada anglophone les relations des professeurs d'Université avec ceux du pré-universitaire sont faibles sinon «inexistantes, épisodiques.» Il y a un net clivage entre l'Université et les autres enseignants. Les uns et les autres tendent à se voir comme des gens de catégorie différente, ayant des intérêts et des buts en général différents et, même quand ils mentionnent la possibilité d'intérêts communs, ceux-ci ne sont peut-être pas perçus de façon aussi immédiate et urgente qu'au Québec. La relation entre les deux groupes au Canada anglophone est une relation fonctionnelle. Au Québec elle revêt une dimension politique; elle est aussi plus traditionnellement inscrite dans les structures d'enseignements. Le clergé ayant contrôlé l'enseignement pré-universitaire aussi bien

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qu'universitaire a été pendant longtemps l'unique employeur: point commun et point de ralliement et de polarisation des forces dans l'examen et la mise en question touchant les conditions de l'enseignant.

La situation même du professeur d'université au Québec est une situation d'identité partagée avec les autres enseignants ou d'autres groupes; c'est aussi la situation d'une même identité recherchée et voulue. Ne serait-ce qu'au niveau des problèmes linguistiques, enseigner en français au Québec, que ce soit à la petite école ou à l'Université, c'est enseigner dans la langue d'un groupe culturellement et économiquement dominé. Les luttes menées au niveau pré-universitaire, les efforts des enseignants au niveau et à travers leurs organisations ne sont pas étrangers aux préoccupations des universitaires francophones. Ceux-ci ont peut-être été plus sensibles et mieux préparés à adopter des formes d'organisation que leurs collègues avaient déjà expérimentées, alors qu'il semble qu'au Canada anglophone la situation et l'expérience des enseignants pré-universitaires ne revêtent qu'un intérêt relatif et seulement pour un très petit nombre. L'universitaire anglophone tend au contraire à souligner et privilégier tous les aspects qui le différencient du groupe secondaire, et à accepter plus ou moins une expérience qui lui semble être le fait d'un groupe différent.

Au Canada anglais on peut supposer que le clivage et la polarisation créés par les actions et l'apparition d'un employeur commun—l'état—apportera ce que le Québec a connu durant ces dernières années: la reconnaissance d'intérêts communs, le partage d'une identité commune pas seulement définis dans les termes étroits d'un statut, d'une fonction particulière et favorisera l'acceptation de formules ou d'actions partagées par d'autres groupes.

Solidarité avec d'autres groupes

C'est peut-être dans l'examen du contexte politique et de la situation du professeur d'université francophone qu'il faut rechercher les éléments permettant de comprendre les débats et les raisons de l'affiliation et de la syndicalisation au Québec.

C'est surtout à ce niveau je pense qu'on peut trouver des facteurs déterminants quant à la création du SPUQ (UQAM), du McGill Faculty Union, du SPUM (première formule) et de la plupart des autres groupes à l'origine au moins, sinon à ce jour aussi. Si du fait du contexte social et politique les professeurs d'Université du Québec sont plus prêts que leurs homologues anglophones à s'identifier et se rapprocher des enseignants à d'autres niveaux, ce même contexte tend aussi à favoriser leur rapprochement avec d'autres groupes. A cela il faut ajouter le rôle traditionnel de l'intelligentsia universitaire québécoise dans les organismes syndicaux et le syndicalisme au Québec et bien sûr la structure d'accueil et d'action que représentent certains syndicats au Québec. Pour les Québécois, la C.S.N. est vue comme une centrale québécoise en dépit du fait que la CSN soit un syndicat canadien qui compte des membres hors du Québec et en Ontario notamment. C'est aussi la centrale qui s'est le plus avancée et a toujours constitué un symbole et une force réelle pour la lutte des Québécois de langue française, non seulement à l'intérieur de négociations ou de visées syndicales traditionnelles, mais sur la scène politique. L'établissement de syndicats dans les universités n'a pas répondu uniquement à des pressions sur l'Université, ou sur la situation de l'universitaire, mais a répondu aussi à une intention et une préoccupation sociale et politique, à des visées englobant une population. La nécessité et la volonté de rejoindre d'autres groupes et d'entreprendre par là une action politique est un trait spécifique du syndicalisme universitaire québécois que l'on ne retrouve pas ailleurs à la base de ce mouvement. Au Canada anglais on trouve la tendance à se définir comme salarié ou travailleur au même titre que n'importe quel autre «travailleur» mais le rapprochement semble plutôt une agréable vue de l'esprit en autant que l'on ne trouve pas trace d'un projet ou même d'une utopie entraînant une action commune pour des buts identiques et partagés. Au Canada anglais ceci semble-t-il ne joue pas tellement non plus en tant qu'argument en faveur de l'affiliation ou de la

syndicalisation: on ne s'affilie pas pour participer au mouvement ouvrier, pour briser un isolement ou pour accomplir un projet commun, on s'affilie si les services semblent adéquats et les bénéfices suffisants. Au Québec ce contexte spécifique et cet attrait de certaines centrales posent des problèmes particuliers au Syndicalisme professoral et notamment aux professeurs d'université anglophones au Québec. Si on considère la position des centrales en général et leurs tendances, les professeurs anglophones n'ont peut-être que trois alternatives: s'ils acceptent cette visée du syndicalisme et la suivent ils joignent certes le mouvement général mais d'une certaine façon ils se nient en tant qu'anglophones au Québec; s'ils se séparent d'un mouvement général sans participer à l'organisation syndicale universitaire au Québec, non seulement ils accentuent leur isolement, leur situation d'opposants (ce que la plupart refuseraient d'accepter) mais aussi ils se privent d'une organisation capable de répondre aux problèmes locaux (relations avec l'employeur dans chaque université) et aux problèmes provinciaux. Dans une troisième hypothèse, ils se donnent leur propre organisation et se constituent en groupe spécifique, accentuant ainsi leur isolement. Pour le moment la FAPUQ offre un moyen terme et une situation de compromis. On peut se demander si elle réussira à formuler une position acceptable et à offrir un regroupement à l'intérieur d'un mouvement syndical universitaire alors qu'au Québec ce mouvement se trouve tellement lié à la situation et aux aspirations culturelles et politiques des Canadiens français.

D'autres facteurs

D'autres facteurs ont joué comme la contestation étudiante mais peut-être de façon différente. Les conséquences «négatives» ont été avancées³: insécurité chez les professeurs, sentiment de perte de pouvoir pour certains; problèmes qui ont favorisé l'organisation de la faculté. Je pense qu'au Québec au moins, les aspects «positifs» ont aussi joué, à la différence du Canada anglais. La contestation étudiante a certainement entraîné des changements idéologiques et modifié la vision de soi du professeur d'université. Jusque-là il pouvait se définir comme appartenant à une élite au-dessus et différent du reste des mortels. La contestation étudiante a peut-être un peu secoué cette condescendance: même ceux qui n'en pensaient pas moins se trouvaient dans une situation assez inconfortable pour se poser comme totalement différents d'autres groupes d'employés et refuser la syndicalisation sur ces bases. Paradoxalement aussi, si on pense qu'au Québec elle a atteint ses moments les plus virulents avec le refus de participer («participer c'est se faire fourrer»), la contestation étudiante a conduit à la critique des structures hiérarchiques centralisées, bureaucratisées, et a légitimé la participation, la

prise du pouvoir par la faculté. Elle a aussi donné au syndicalisme universitaire en milieu québécois un de ses objectifs, et un visage plus offensif qu'au Canada anglais: «L'enjeu: le contrôle de nos conditions de travail» (SPUQ—information, II, 5, 1^{er} nov. 1973) (3).

Pour les professeurs d'universités québécoises francophones il est en général clair et facilement admis que ce contrôle ils ne l'ont pas, il est aux mains d'une administration lourde, tracassière et paternaliste et le syndicalisme est un moyen de lutter mais aussi d'obtenir un pouvoir qui leur échappe. Quand on passe au Canada anglophone on s'aperçoit que selon la croyance la plus généralisée, le professeur «est» l'Université, et l'administration, des salariés plus ou moins compétents: le syndicalisme est encore dans ces conditions une perte de statut, un dernier recours contre les abus, il est plus difficilement pensé et reconnu et adopté comme le véhicule de visées plus globales, plus politiques.

Perspectives

Ces quelques différences entre le mouvement syndical des professeurs d'université au Québec et celui qui s'amorce ou la situation qui existe dans les universités anglophones relèvent sans doute d'un niveau politique, idéologique. Si on considère les professeurs en tant que groupe socio-économique sans tenir compte de ces niveaux les situations sont les mêmes, les problèmes posés par le syndicalisme sont les mêmes: d'une université à l'autre les conditions de travail sont fondées sur à peu près les mêmes structures, les mêmes rapports; les différences sont relativement minimes. Les problèmes posés par le code du travail ou la négociation au Québec ne sont pas essentiellement sinon peut-être dans la forme différents. Par contre le contexte socio-politique offre de plus grandes différences. Au Québec le contexte social et politique, les visées et la situation des Canadiens français ont peut-être accéléré le mouvement de syndicalisation. Au Canada anglais et aux États-Unis ce qui a sans doute joué c'est le facteur de professionnalisation et le cachet d'acceptabilité donné au syndicalisme. Au Canada anglais un des éléments les plus dynamiques a été l'étude des professeurs Adell et Carter qui a contribué largement à faire accepter le syndicalisme des universitaires comme «possible» et légitime. Au Québec ce rôle a été joué surtout par la concrétisation du fait et l'existence du SPUQ. Ce qu'on peut se demander par contre c'est si le syndicalisme ne va pas finalement combler certaines des différences qui existent, il me semble, à l'heure actuelle, et jusqu'à quel point.

Si on considère la création de liens de solidarité avec d'autres groupes, et la prise de conscience de certains intérêts communs: en soumettant les professeurs d'université à une législation régissant d'autres groupes il est clair qu'on crée entre les uns

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Vademecum of a Campus Unionizer

by M. Debicki

This article leaves aside the primary question of whether any Faculty Association should seek the recognition as a bargaining agent on behalf of the faculty. It is not meant to assist in making this kind of decision—it is rather designed for those Faculty Associations which, for their own reasons, decide to pursue that avenue of relationship between university administration and the faculty. It is based on the experience of one Faculty Association in its long struggle towards recognition as a collective bargaining agent, thus many of the points are of a parochial nature. However, I believe that at least some of our experiences are of a universal character and can be of some utility to other Faculty Associations which either entertain the possibility of pursuing recognition under their respective labor relations acts, or have already made that decision. Three essential areas will be discussed in this Vademecum for a Labour Organizer on the Campus:—Legal questions, political considerations, and practical advice.

Legal Questions

Any Faculty Association which entertains the thought of seeking recognition as a bargaining agent on the behalf of the professors, has to be very aware and educate itself in the type of legal problems which it will encounter. You cannot rely solely on the services of lawyers, in that endeavor. The labor legislation usually is not prohibitive for a layman, and although legal services are essential, academics can and should familiarize themselves with pertinent legislation. This is necessary also because the lawyers often will have difficulty in translating labor legislation so that it becomes applicable to the academic scene.¹ Secondly, the Faculty Association should acquire a good working

knowledge (if it does not already have such knowledge) of the provincial legislation dealing with their respective universities, and also with all the range of University by-laws which will become a part of the legal "pingpong". Amongst some of the most important legal questions with which the Faculty Associations will have to be familiar are the following:

1. It is very important that in the initial stage, the Faculty Associations must acquire a very clear understanding as to whether their particular organization falls under the general clause of a labor union, under the respective provincial labor relations Acts. Sometimes it is much easier to re-draft the constitution of the Faculty Association prior to filing an application for certification, rather than to discover during the proceedings before the labor board, that the constitution or organization of the faculty does not meet with the requirements of the particular labor relations act.
2. In applying for certification, the Faculty Association has to familiarize itself with procedures under the labor relations act and relevant regulations governing an application for certification by labor relations boards, since it is quite likely that Faculty Associations will have to produce a series of relatively old and forgotten documents—such as minutes of the first meetings, etc. All these steps and all the necessary documents should be checked prior to application as it is important that the application is not judged defective on procedural grounds.
3. It is very important to have a very clear understanding of who is the party of the case. You will find out that in the process of your application, one of the greatest difficulties you will encounter will be individuals who, either on the grounds of conscience or some other reasons, object to the application. They, under most labor relations acts, can be individuals,

labor legislation is usually not prohibitive for a layman...

"parties to the case", and make the whole procedure very complicated and tiresome. If the Faculty Association from the beginning has a clear understanding of the possibilities as to limiting the number of "parties to the case", or if it can in some other way group the opposition into a single entity, this might prove to be advantageous.

4. Acquisition of a working knowledge of the university administration and the general by-laws. In this regard, the Faculty Association will have to be of significant assistance (and a constant source of input) to the legal personnel during the proceedings. This point deals with the organizational structure of the university. One of the main points of this exercise is to acquire a clear understanding of the vertical and horizontal organization of the University. That is, the Faculty Association has to be clear as to the legal powers and the role of the senate, academic administrators (in many applications this will become a very important issue) and horizontal sharing in decision-making by all the members of the academic community.
5. The determination of the boundaries of the unit. Depending on how you describe the outer borders of the unit, your application may have—or avoid—certain difficulties. In many of the applications, the source of opposition will come from professional employees. The University of Manitoba certainly encountered this difficulty. We are perhaps the most "unlucky" Faculty Association, in the sense that our Labor Relations Act has perhaps the worst definition of a "professional" in Canada.

¹ Ed. Note: According to the CAUT Committee on Collective Bargaining, if an association is considering certification and intends to secure the services of a lawyer, it should do so only after consultation with the CAUT. In many cases questions relating to preliminary problems can be satisfactorily answered, free of charge, by the members of the Collective Bargaining Committee or the CAUT officers in charge of collective bargaining. The CAUT, through its Collective Bargaining Committee is also able to provide faculty associations with general aid in the actual drafting of the collective agreement.

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et les autres des intérêts communs au moins face aux actions du législateur. La chance réelle finalement des professeurs d'université c'est peut-être de bénéficier de l'appui d'autres groupes objectivement mieux équipés et plus forts dans la défense de leurs intérêts. Si on considère les professeurs du secondaire qui eux «bénéficient» d'une législation particulière sanctionnant leur «statut» particulier de «professionnels» ceux-ci se trouvent totalement à la merci du législateur (voir en Ontario). Ce facteur va sans doute rapprocher les professeurs d'universités d'autres groupes, les sortir de leur isolement et ceci tant au Canada anglais qu'au Canada français. Par contre il semble douteux qu'au Canada anglais le mouvement syndical des professeurs d'universités dépasse jamais le stade d'une alliance pour être le lieu de convergence de visées politiques et idéologiques communes comme cela a été plus ou moins le cas au Québec et peut l'être dans le futur. Par rapport à cette situation particulière, les professeurs d'universités anglophones au Québec se trouvent dans une situation ambiguë et difficile. Les visées idéologiques du syndicalisme francophone peuvent décourager dans une certaine mesure le groupe anglophone même si la nécessité de s'organiser en vue de négociations provinciales à plus ou moins brève échéance semble rendre la syndicalisation au niveau local inéluctable. Si francophones et anglophones décident de s'unir à des organismes

différents ou d'en former, la multiplication et la compétition entre ces organismes risquent peut-être de se faire aux dépens d'autres objectifs et des universitaires syndiqués. La FAPUQ aujourd'hui se trouve en compétition surtout avec la CEQ. Celle-ci ne revêt pas et de loin sans doute le caractère de la CSN mais elle a au moins un argument en sa faveur que ne possède pas la CSN: une centrale formée d'enseignants uniquement, par des enseignants. Par contre la CEQ ayant pris des positions relativement non ambiguës et catégoriques sur les questions linguistiques offre pour les anglophones un danger, mais des attraits pour un certain nombre de professeurs qui voient là le moyen d'allier plusieurs objectifs. Le futur réside sans doute autant dans l'habileté des dirigeants et dans leur capacité de formuler des propositions génératrices de solidarité que dans l'attitude du pouvoir face aux universités et ses actions dans le domaine universitaire. On peut aussi penser que la nécessité d'éviter une dispersion des forces peut amener la centrale qui se voudra plus représentative à faire des compromis plus ou moins acceptés par les extrêmes et qui à long terme risquent d'atténuer le caractère distinctif du mouvement québécois par rapport aux autres provinces.

Dans les autres provinces on peut dire que ces visées globales n'existent pas, ou pratiquement, et même la nécessité de faire face éventuellement à des négociations provinciales n'entraîne pas pour toutes les associations locales ou provinciales la nécessité de former d'abord des syndicats locaux. La possibilité de négocier sur les questions monétaires avec le gouvernement à travers une association provinciale et sous le couvert d'une législation particulière, ou tout simplement en

formant un groupe de pression, est présentée notamment en Ontario comme une alternative possible. Ces alternatives ne résolvent pas les problèmes réels à mon sens; la FAPUQ peut sans doute servir d'exemple d'une association qui a connu jusqu'à ces dernières années les tribulations d'une organisation représentant des associations dont le statut et les pouvoirs étaient plus ou moins douteux et limités. Son pendant ontarien a connu plus de succès, mais on peut se demander à quel point l'alternative qu'il présente peut réellement aboutir à long terme et permettre la solution de problèmes au niveau de chaque université. A long terme, les professeurs d'université risquent il me semble de se retrouver dans une situation similaire à celle des enseignants en constituant une minorité par rapport à ceux-ci. Il n'en demeure pas moins que ces alternatives, si elles étaient retenues, risqueraient d'entraîner des différences dans les visées et les méthodes du syndicalisme universitaire beaucoup plus grandes d'une province à l'autre.

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La situation même du professeur d'université au Québec est une situation d'identité partagée avec les autres enseignants ou d'autres groupes.

¹ André Coté (Laval): *La Syndicalisation des Professeurs d'Université au Québec*, mimeo, 35 p. (1974).
² B. I. Adell et D. D. Carter: *Collective Bargaining for University Faculty in Canada*, (AUCC) Industrial Relations Centre, Queen's University, Kingston (1972).
³ J. Brézau (Montréal): *Syndicalisation chez les professeurs: quelques causes et certaines conséquences*, University Affairs/Affaires universitaires, pp. 5-6. AUCC, Nov. 1973.

VADEMECUM...

The definition which our Labor Relations Act uses under Section 1 Para. T, is so broad that it caused our association an enormous number of problems. The statute does not require that a professional is one who performs professional functions in the course of his employment, but rather relates to his formal status as a member of a profession, (or his eligibility to be one) regardless of what, *de facto* he is doing. Many people on our campus, who clearly do not act in their professional capacities as lawyers, dentists, doctors, interior designers, etc., were able to claim, or at least pursue the claim, that they have a professional status and thus they should be excluded from the unit. One of the most complicated cases on many campuses would be that of medical schools, where joint appointments with hospitals are not an exception.

6. The last legal issue is one of voluntary recognition. Most labor relations acts, in different forms, provide for voluntary recognition. There are several advantages to pursuing this avenue. It is less time-consuming, it costs less, and, perhaps it reduces a climate of political hostility. However, the most negative factor in voluntary recognition is one that the conditions of the voluntary recognition usually can be, at least to some degree, set by the respective parties. Therefore the type of bargaining and the newly emerging functional inter-dependence between the faculty and administration can be—to a much larger extent—determined by the employers.

To end this part with a general comment, one has to expect in making an application for cer-

in many applications the source of opposition is the professional employees...

tification, that one will encounter many unusual legal problems. The labor relations acts in Canada were primarily designed to deal with industrial models, where the demarcation lines are clearer than in the university, and where the distinction between labor and management is more clearly drawn. The university, with its evolutionary organizational development is ill-suited to labor legislation. Re-interpretation of the labor legislation produces difficulties, even in those cases where there is no opposition to the certification. Certainly when the opposition to certification is vigorous, the basic weakness of the design of this type of legislation will produce several difficulties.

Political considerations

The political considerations are perhaps even more important than the legal requirements and technicalities of proceeding with the application. From the experience on our campus, one can highlight some of the most important ones (with the understanding that these will have to be looked at from the perspective of local conditions).

1. Conditions under which unionization is considered in the university usually occur in the climate of hostility between administration and the faculty. Thus a certain degree of polarization is unavoidable.
2. This usually is combined with a period of decline or negative growth of the University, which produces additional tensions and additional pressures on both faculty and administration.
3. Universities have what I call a "dual political culture". On the one hand, we have the model of a "platonian academy" of free scholars, who are to a large extent, independent, not only in their thought processes but in the way in which they perform their jobs. On the other hand, the increased enrolments in the universities during the last decade produced the development of corporate structures within the universities. Thus you have interaction of these two cultures—one individualistic, based on independence (working alone), and on the other hand, you have the corporative organizational model, which is intentionally copying business corporations with their hierarchical organizations, treating Universities to a large extent, in a quantitative manner.

4. Universities frequently live in a state of confusion as to the functions of university structures—i.e. Senates, Faculty Councils, and Administrations. This confusion is even increased by the fact that in many universities the corporate managers emerge from the ranks of academics. It is not infrequent that some of the best academics are moving into the administrative roles. Thus their employees do not necessarily perceive them as corporate managers, but frequently see them as their colleagues and members of the academic community. The administrators, not infrequently, perceive themselves as academics rather than as administrators. Yet on functional grounds this clearly cannot be defended.
5. Faculty Associations in their traditional roles are not equipped to cope with the new functions of initiating and carrying through unionization and collective bargaining. Any Faculty Association which entertains the thought of collectivization, has to recognize that the time when the Faculty Association could be run over a cup of coffee in the faculty club—perhaps with a glass of brandy—is gone with the application. The Faculty Association in the process of collectivization has to be professionalized. Running this new type of association becomes almost a full time job. Also, it is essential that a much larger number of people must become involved in the workings of the Faculty Association—during and after collective bargaining. If you look ahead after you are recognized as a bargaining agent, just the preparation of the contract on which you want to negotiate is enormously time-consuming. Most universities have employment relations offices, with people whose full-time job will be (or is already) to design bargaining positions *vis a vis* the faculty. For most of us, this is a voluntary service which is given over and above our normal duties as teachers and scholars. One cannot over-exaggerate the pressure on the people who are actively involved in the Faculty Association, in terms of time and a new type of expertise which is needed. Some of you will have to be familiarized with the labor legislation, others with collective bargaining, others with different types of contracts, and still others will have to have a very clear understanding of the by-laws and workings of the University. This perhaps is one of the greatest difficulties and dangers in pursuing the avenue of unionization.

6. It is also politically important to think of—and establish—policies dealing with the relationship between the Faculty Association and other unions on campus. The Faculty Association has to develop a clear-cut policy dealing with agglomerations of unions and joining other unions outside the university. There are enormous dangers which the Faculty Association has to face, since it most likely will be approached by the big international or national unions, which do not necessarily have similar goals to those of the academics. Faculty Associations are facing the possibility of being "swallowed up" by a union which does not necessarily have a common interest with academics.

conditions for unionization are created through a climate of hostility between the administration and the faculty

7. Relationships with students during the period of discussing and entering into legal steps leading towards certification, are of the utmost importance. It is possible—even likely—that the students will be apprehensive about the unionization of their faculties. Students very frequently will expect an increase in fees, as a result of unionization. Some will think that the quality of education will suffer as a result of certification. At all costs, one has to avoid the possibility of the students being used as a "pingpong" between conflicting parties in the case.
8. The final political consideration is that of the relationship between CAUT and the Faculty Association, in the process of application for certification. Any Faculty Association which is

pursuing the route of collective bargaining will be greatly assisted by the expertise of the people in CAUT. This is the route through which one can have access to the experience of other universities, and CAUT should be seen as a possible future agglomeration or congress of faculty unions.

Practical advice

There are many practical considerations which have to be taken into account. Among them, the most important ones seem to be:—

1. Secure the services of people with legal, union, and political campaigning experience. These three categories of people seem to have the essential characteristics needed in the initial process of unionization. Legal personnel is a necessity. However, it is also good, as well as having a retained lawyer, to secure the services of other lawyers, preferably from the local law school (if there is one on campus) who can serve as translators of the legal messages coming from the barristers. They can also translate the position, complexities and idiosyncracies of the university into terms understood by downtown barristers. People with political campaigning experience are of high utility to the Faculty Association. Many associations will face the necessity of preparing for voting, in order to determine the wishes of the faculty members. In such situations, people with political campaign experience are invaluable in organizing the faculty members who are sympathetic to the cause of the association. People with union experience can help the Faculty Association to avoid pit-falls, and can be useful in attempting to stop the developing hysteria on campus by

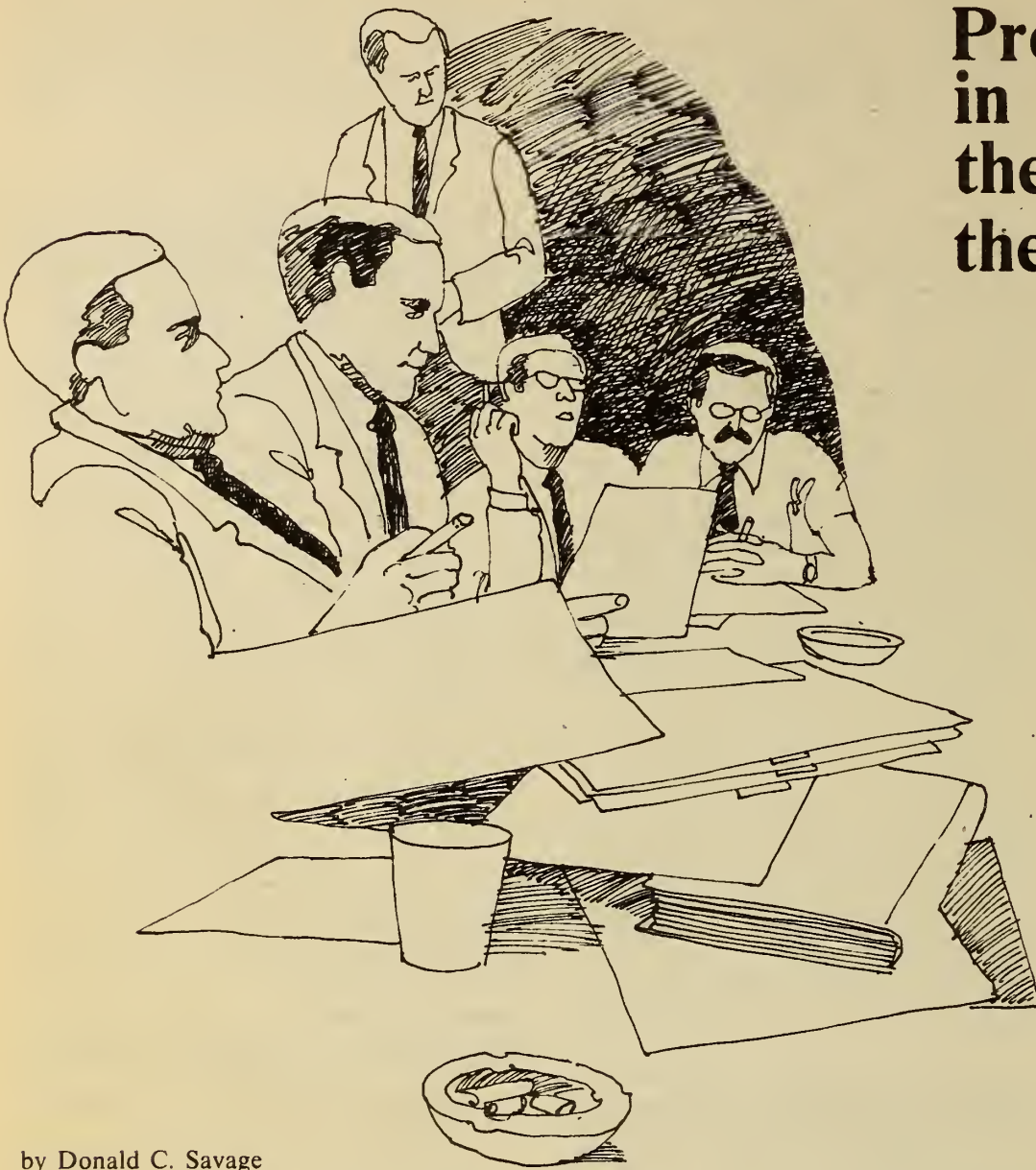
faculty might be approached by international or national unions which do not necessarily have similar goals to those of academics

dealing with the syndromes of so-called "clock-punching"—"nine-to-five" and other allegedly "necessary evils" of unionization.

2. Secure the support of outstanding scholars. You will likely be involved in labor relations hearings, and the testimonies of outstanding scholars will be of importance to the Faculty Association. The services and support of outstanding scholars are also important, since many of the Faculty Associations will be charged with support of mediocrity or even incompetency—the allegation being that some academics are afraid of the open market and want the union in order to protect their job security. Thus, if many of the outstanding scholars support unionization, this argument is less likely to be used by the opposition.
3. Avoid alienation of those faculty members who are not sympathetic or who have reservations regarding unionization. It very often might become the case that active members of the Faculty Association become so emotionally involved in the cause of unionization, that they treat those who disagree as "enemies".
4. Be very careful in retaining legal counsel. It is not only a good labor lawyer who is needed by the Faculty Association. It is essential that the lawyer be able to communicate with academics. You need a lawyer who in some sense is a scholar in his own right, or at least has academic interests. Such a lawyer will find it easier to converse with university professors who do not easily abandon their role as teachers.
5. Lines of communication with the administration must be kept open. In the period of very frequent hostilities on the campus, before and during the process of certification, it is very easy to reach a situation in which the administration perceives the route of certification as an act of hostility and lack of confidence. At this point the Faculty Association might close the lines of communication with the administration, or *vice-versa*. This situation should be avoided. People with experience in collective bargaining stress that there are frequently "double

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Professors' Unions in the U.S.A. and the U.K.



by Donald C. Savage

In the United States the American Association of University Professors (AAUP) was founded in 1915 as a professional organization of academics. The general thrust of the AAUP since its founding has been to try to entrench the rights of faculty through procedural models. This led to various statements of principles of which the most famous were undoubtedly the 1940 statement on academic freedom and tenure and the 1966 statement on shared authority in the university. It also led to the development of censure to deal with situations where the principles were not applied. It is clear that the experience of the AAUP had a considerable impact on the development of CAUT's notions of academic freedom and tenure in the late fifties and early sixties.

The AAUP found its strength in the four year colleges and established institutions of the United States. It did not play as strong a role with junior and community colleges although some were members. This proved to be somewhat of an Achilles heel.

During the late sixties there was increasing dissatisfaction within the AAUP and without concerning the traditional policies of the association. The sixties saw university after university marked by student disruption. Both boards and political leaders reacted against the universities. This along with restrictions in the job market for graduates marked the end of the sputnik boom in American higher education. Furthermore the ever lengthening list of AAUP censures led many to question whether American universities would indeed be persuaded by the traditional methods to share power, to guarantee academic freedom and to maintain a reasonable standard of living for the faculty. The crude application of managerial techniques to the campus or to state-wide systems increased this fear as has the decline in real income of many American professors. Professors also saw students make significant gains in political power

while the mass of the faculty remained largely unrepresented on senates and boards of governors. This has been of particular concern to the lecturers and assistant professors. Political attacks in state legislatures on tenure and on the funding of graduate studies have persuaded many senior faculty that their position can only be adequately defended through collective bargaining.

Towards the end of the sixties the multi-campus City University of New York (CUNY) took the plunge when the faculty supported a certified bargaining agent which was not a member of the AAUP. If ever there was a domino, this was it. Both the American Federation of Teachers (AFT) and the National Education Association moved rapidly to attempt to unionize faculty members. The AFT is an affiliate of the AFL/CIO and has deliberately made a pitch to faculty on a radical programme in alliance with organized labour; the NEA is the largest organization of teachers in the United States. Both the AFT and the NEA are primarily organizations of secondary and primary school teachers and both were particularly successful in unionizing junior and community colleges, thereby securing a significant beachhead for an attack on the AAUP.

The debate on certification split the AAUP. It was the most profound crisis in the history of the organization. However, at the 1972 annual meeting

the AAUP did not play a strong role in junior and community colleges. This proved to be somewhat of an Achilles heel.

in New Orleans those in favour of certification led by Walter Adams and Carl Stevens, carried the day. There then followed a significant commitment by

the AAUP to collective bargaining so that today about 25% of the budget is devoted to this area—the same as to academic freedom and tenure cases. The effect is evident. Recent supervised elections indicate the success of the AAUP at least in regard to four-year institutions. It seems likely that it will become the predominate agent for such universities. At the same time the most recent annual meeting of the association saw no recurrence of the dramas of 1972. The discussion on collective bargaining was purely technical—how to do it in the most efficient manner and how to pay for it. The AAUP leadership is now convinced that the principles of the organization can be enshrined in collective bargaining agreements and that this is an effective way to protect the rights of the membership. A recent internal study by the NEA has caused its leadership to recognize that the AAUP and not the AFT is its major enemy in terms of the unionization of the universities and to devote considerable sums of money to try to regain the initiative.

Many in the AAUP feared that with collective bargaining the key principles of the organization might be traded away at the bargaining table. The association has taken a tough stand on such matters. At the University of Hawaii the AAUP denounced the contract signed by the American Federation of Teachers which renounced tenure and conceded the most extraordinary management prerogatives. The AAUP denounced the contract in terms usually reserved for reactionary college presidents, and the faculty refused to ratify it by a vote of 1301 to 279. It would appear that the American Federation of Teachers is now on the way out in Hawaii. In another case this year, that of Camden College, the AAUP censured the university even though the actions taken by the president were consistent with the local collective agreement.

In 1973 in the United States there were collective agreements on 315 campuses with ap-

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What is certification?

by Joseph Rose

Certification is a procedure by which a trade union can become the exclusive bargaining agent for a group of employees. In order to better understand the implications of unionism and collective bargaining, the following definitions of labour relations terms are provided. They are drawn from the Labour Code of British Columbia.

bargaining agent means:

- (i) a trade-union that has been certified by the board as an agent to bargain collectively for an appropriate bargaining unit; or
- (ii) a person, or an employers' organization accredited by the board, authorized by an employer to bargain collectively on his behalf;

collective bargaining means negotiating in good faith with a view to the conclusion of a collective agreement or the renewal or revision thereof, or to the regulation of relations between an employer and employees;

employee means a person employed by an employer, but does not include a person who, in the opinion of the board,

- (i) is employed for the primary purpose of exercising management functions over other employees; or
- (ii) is employed in a confidential capacity in matters relating to labour relations; or
- (iii) is qualified in a profession, trade, or calling and is licensed under the Architectural Profession Act, Chartered Accountants Act, Chiropractic Act, Dentistry Act, Engineering Profession Act, Insurance Act, Naturopathic Physicians Act, Optometry Act, Podiatry Act, Real Estate Act, Securities Act, 1967, or Veterinary Medical Act, or is an enrolled student under any such Act, and is engaged and working in the practice of such profession, trade, or calling; or
- (iv) is employed in domestic service, agriculture, hunting, or trapping; or
- (v) is a teacher as defined in the Public Schools Act;

employer means a person who employs one, or more than one, employee and includes an employers' organization;

trade-union means a local or provincial organization or association of employees, or a local or provincial branch of a national or international organization or association of employees within the Province, that has, as one of its purposes, the regulation in the Province of relations between employers and employees through collective bargaining, and includes a council of trade-unions and an association of trade-unions, but does not include any organization or association of employees that is dominated or influenced by an employer;

unit means a group of employees, and the expression "appropriate for collective bargaining" or "appropriate bargaining unit", where used with reference to a unit, means a unit that is determined by the board to be appropriate for collective bargaining whether it is an employer unit, craft unit, technical unit, plant unit, or any other unit, and whether or not the employees therein are employed by one or more employer.

Meaning of Certification

Where a group of employees are interested in securing collective bargaining rights, they normally solicit a trade union to represent them. The union, in turn, will stage an organizing drive to gain the support of a majority of the employees. Once this

has been done they apply to a labour relations board to become certified. Certification, if granted, gives a union exclusive bargaining rights, i.e., the union becomes the sole representative for employees in matters pertaining to the terms and conditions of employment.

The first stage in the certification process has the union filing an application with the labour relations board. The board normally has several requirements which must be met if a union is to be certified. These include:

- (1) The unit applied for must be appropriate for collective bargaining. This entails the application of certain criteria such as whether a community of interest exists among employees and determining what the history of bargaining in the industry has been. The major issue facing faculty bargaining units will be who should be included in and excluded from the unit. This will entail decisions regarding such diverse groups as professional faculties, department heads and part-time lecturers.
- (2) The union must have as members in good standing, a majority of the employees in an appropriate unit. Where a clear majority is evident the board will certify the union. However, where there is doubt about the union's majority status, a certification election is scheduled. A union need not have majority support to file an application for certification (for example, in British Columbia it need only have the support of 35% of the employees in the unit); however, the union will not be certified unless it solicits the support of a majority of those in the unit. A certification vote is by secret ballot and is supervised by a labour relations board.
- (3) The applicant union must be a proper organization for collective bargaining. This means that it must meet the requirements of the definition of a trade union specified above. Faculty Associations wishing to become certified may have to amend their constitutions to meet this requirement. For example, the Faculty Association of the University of British Columbia recently amended their constitution to include as one of their objects: "To act as the bargaining agent of all Faculty members employed by the University and on behalf of such members to regulate relations between members and the University through collective bargaining."

In addition, the union must be free of employer domination or interference. Normally a trade union will not be certified if an employer has participated in its formation or interfered in its financing or administration. The intent of such provisions is to ensure that employees can exercise a free choice regarding the selection of a bargaining agent. Again, this may require faculty associations interested in seeking certification to amend their constitution, e.g., to exclude such groups as deans, vice-presidents, etc. In British Columbia, the law also specifies that certification will not be granted to a union "that discriminates against a person, contrary to the Human Rights Act".

Regulating Election Conduct

The labour relations board is responsible for ensuring that employees are able to exercise a free choice on the question of union representation and therefore it is responsible for handling unfair practice charges or complaints. When a union organizing drive is in process, there are certain actions which neither an employer or a union can practice. Failure to adhere to these regulations is what is known as an unfair labour practice. Employers can not do the following: coerce, restrain or interfere with employees in the exercise of their right to join a union; discriminate against any employee in regard to employment or any condition of employment because of union membership; alter the terms or conditions of employment as a means of in-

ducing an employee not go join a union or continue to be a union member, e.g., giving wage increases; fire, suspend, transfer or lay off an employee for union activities; and participate in the formation or administration of a trade union. These restrictions are also applicable to any person acting on behalf of an employer.

Unions or persons acting on their behalf are also prohibited from coercing, restraining or interfering in an employee's right to join or refrain from joining a union. In addition, most laws place restrictions on union organizing at the employers' place of employment during working hours and prohibit efforts to restrict or limit production or services.

Effect of Certification

Certification gives a union exclusive authority to bargain collectively on behalf of employees in the unit and bind its members to a collective agreement. As the sole representative of employees, only the union can enter into negotiation, over wages, hours and other conditions of employment. An employer is required to bargain in good faith with the employees' representative. This entails meeting and conferring with the union and making reasonable efforts to conclude a collective agreement.

Once certified, a union remains the exclusive bargaining agent until such time as the certification is cancelled. A certification can be cancelled where a trade union ceases to be a trade union, an employer ceases to be an employer and where the union no longer represents a majority of the employees in the unit. Thus employees maintain the right to decertify a union or to seek representation by another union; this is usually restricted to certain time periods specified by law, e.g., the expiration of a collective agreement.

Professor Rose is in the department of Business Administration at the University of New Brunswick, and is a member of the CAUT committee on Collective Bargaining.

VADEMECUM... from p. 15

negotiations"—one formal set of meetings, but also informal communications between the two parties, which are perhaps of more importance than the formal ones. During the whole process of certification, lines of communication should be kept open.

These remarks are not meant to discourage Faculty Associations from pursuing collective bargaining or certification. The intent is only to present some of the difficulties and to stress the enormous amount of work which the Faculty Association will face in this new endeavor. Whether this new structural device—new at least in terms of Canadian campuses—will prove to be satisfactory is impossible to say, since only very few universities in Canada have this kind of mechanism—and for a relatively short period of time at that. Personally, I believe that unionization opens a new era of a more democratic university, or if you wish—a return to the "Golden Age" of *Universitas* among "Studii Generalis".

Professor Debicki teaches Political Science at St. Paul's College, University of Manitoba and spoke on collective bargaining at the annual meeting of CAUT in Toronto.

The Affiliation Question : the CAUT or another central union?

by Charles Bigelow

The CAUT has now existed for nearly a quarter of a century, and while it is solidly identified in the minds of Canadian academics as a protector of their academic freedom, it does not have any very clear identification as a union central. For this reason some Canadian professors who have begun to think about forming a certified collective bargaining agent have also begun to ask whether the new local union should affiliate with a national or international union other than the CAUT. At various campuses in Anglophone Canada in the past few years, the suggestion has been made that local unions might affiliate with the American Federation of Teachers or with the Canadian Union of Public Employees (CUPE). And in Quebec, where there is the most union activity, there are both independent locals, and locals affiliated with Fédération des Associations de Professeurs du Québec (FAPUQ), Centrale des Syndicats Nationaux (CSN), and Corporation des Enseignants du Québec (CEQ). At St. Mary's University (Halifax) last spring, a sharp difference of opinion among faculty members on the affiliation question resulted in a well-publicized battle between the CAUT and CUPE for support, which was ultimately won by the CAUT.

It is obviously important to address the question as frankly as possible, so that other faculty members who may be contemplating forming a union will understand what the CAUT can do for an affiliated union, and why, in our view, association with some other trade union cannot be as effective as association with the CAUT.

The creation of a union, certified under a provincial Labour Relations Act, does not mean that faculty members have suddenly embarked on a completely different course for negotiating their conditions of employment. Local faculty associations have, of course, been attempting to act as collective bargaining agents for years. In some universities at some times, they have met with success, not necessarily winning every point, but winning enough points to keep the members satisfied. At other times and places, the results have been indifferent if not downright unsatisfactory.

It is the generally unsuccessful quality of informal collective bargaining that has led faculty members and associations in the last couple of years to seek to formalize and improve their powers by certifying. Certification provides new power — for example, a university with a unionized faculty must negotiate with the union or face penalties—but it does not change, in any important particular, what is to be negotiated.

This is an important point, and one not always grasped by those unfamiliar with unions. If your local association becomes a certified union, it will still be speaking for you on all the points you have traditionally asked the association to speak on.

It will be discussing salaries, pensions, and monetary fringe benefits, of course. But it will also be expected to work into the collective agreement

solutions to the whole range of problems that concern working academics: academic freedom and tenure, promotion procedures, grievances and arbitrations, sabbaticals, teaching loads, research support and facilities, appointment procedures for chairmen, deans and others, and university governance, to name a few of the more obvious ones. The local union will not only *want* to discuss these matters — it will *have* to discuss them, because in most provinces labour law is written in such a way that residual rights may well be claimed as management rights — meaning that where issues are not dealt with in the collective agreement or the university act, the university could make an attempt to decide them unilaterally.

The importance of this can hardly be overemphasized. While an association may improve its bargaining leverage by certifying, it will only prove this by negotiating its collective agreements successfully. And that must obviously be approached with careful planning, organization, and a sensitive concern for academic values. We who have been involved in the work of the CAUT's collective bargaining committee know that only the CAUT can provide the appropriate background, research, and assistance to academic unions.

The CAUT is the only federal organization representing working professors in the country. As such it has a quarter century of experience with *all* the important and sensitive academic concerns that were listed above. No other union central has any experience with any of them. Other unions have, of course, plenty of experience with industrial shops and commercial or government offices, but the idea of forming a union of academics on those models can hardly appeal to anyone with an informed concern for academic values.

Furthermore CAUT is concerned only with university matters. Other unions have other members who have paid dues for a long time and who demand services. This limits the amount of time and the amount of money that a union servicing many different types of members can, in fact, devote to one small segment of its clientele. Other unions may promise much during the honeymoon but it is not at all clear that they can deliver over the long haul. In addition other unions may have obligations to their existing membership which would make them hostile to professorial claims. Last year, a CUPE official on the Board of Governors at Manitoba, moved to freeze certain professorial salaries. No doubt this appealed to the majority of his members but I doubt that the professors in question were overjoyed.

What are some of the arguments used by proponents of affiliation with a different union central? While I was at some distance from the battle at St. Mary's, I did have occasion to hear various arguments used by the anti-CAUT forces there. They said that another union had more "clout"; that the CAUT had never been a "real union"; that the CAUT had never come to their aid in negotiating before; and somewhat

contradictorily, that another central would give the local more freedom. I may not be putting the case for the other side as well as one of its own advocates, but I did hear each of these arguments. It seems easy to deal with them.

On "clout": Clout develops when the members of a local association stand behind it, support it, and make it work. "Clout" can be increased by acquiring powers available under a Labour Relations Act — that is, by certifying. What affiliation to a central union provides is not "clout", but expertise and research needed by the local. Other union centrals are approximately as expert on academe as the CAUT would be on the working of an auto plant.

On a "real union": The CAUT has been assisting faculty members and local associations to negotiate working conditions of all sorts for 25 years. No one else has. What makes a "real union", surely, is not a title like the Canadian Union of University Professors, but the desire and ability to assist our members constructively, working from intimate knowledge of their problems. The CAUT has clearly stated that the formation of a local union is to be encouraged whenever the local membership wants one, and that the union will be a welcome member of the CAUT. What else is needed to make the CAUT a "real union"?

On CAUT assistance for negotiations: The St. Mary's local had never before asked for such assistance: the newly-formed union has had the benefit of assistance in organizing, and in planning and negotiating its first agreement, as have other member unions and associations when they have asked for it.

On local freedom: The CAUT has never intervened in local affairs without an invitation — because that is the way our members have constituted the organization. The dangers which exist in the constitutions of most union centrals — which include the possibility of trusteeships for locals, and summary suspensions of individual members are scarcely compatible with the quality of freedom academics demand for themselves and their associations.

The arguments will be around for a while yet, no doubt. What is needed from the CAUT comes in two parts: the first, which has been developed in the last two years, is a thorough understanding of the workings of labour law and its application to university faculty. The second, which will develop this year, is an enlarged staff that can provide expert assistance on *all* aspects of unionization — on organizing, on planning the first agreement, on getting certified, on negotiating — to our member locals who need it. When such services are readily available, I expect that there will no longer be any question about the value of maintaining the traditional CAUT ties — even in a union context.

Professor Bigelow is the Chairman of the CAUT Committee on Collective Bargaining.

GUIDELINES ON COLLECTIVE BARGAINING

The CAUT Board in June 1973 adopted interim guidelines which are printed in the *CAUT Handbook*, pp. 126-127. In March 1974 the Board approved amendments proposed by the Collective Bargaining Committee. The following guidelines have been approved by the CAUT Council.

The CAUT recognizes that collective bargaining can be an effective means to obtain its objectives—to defend academic freedom and “to promote the interests of teachers and researchers in Canadian universities and colleges, to advance the standards of their profession, and to seek to improve the quality of higher education.” (CAUT Constitution, Section 11.21)

It is particularly important that faculty associations seeking to secure a collective bargaining agreement either through voluntary recognition or through certification should ensure:

1. That the objectives of the proposed collective agreement be made clear to the membership and agreed to by them before a formal request for voluntary recognition or certification is made. (This does not preclude assistance to faculty associations who have taken the legal steps to obtain certification prior to the passing of the Interim Policy Statement.)
2. That the terms of any agreement ensure that the conditions of employment sought allow the realization and defence of the principles of the CAUT, in particular:
 - (a) explicit guarantees concerning academic freedom and tenure as defined by the CAUT through its policy statements and guidelines regarding appointments and other matters involving the contractual,

academic and individual rights of professors;

- (b) procedures and provisions which ensure the participation of faculty members in the governance of the university including formal participation by faculty members in the governmental structure.
3. That the terms of any agreement ensure the creation of a clearly defined procedure for the prompt consideration of problems and grievances to which any affected individual faculty member or group of faculty shall have full access.
 4. That the collective bargaining agreement should guarantee the right of the individual to proceed himself to arbitration in cases of dismissal for cause.
 5. Prior to the signing of a collective agreement, there should be a formal written agreement between the CAUT and the local association¹ that in the case of grievances which involve non-renewal, denial of tenure or refusal of promotion leading to non-renewal (for dismissal see clause 4) where the local has the sole power to decide whether or not there will be an arbitration of grievances, the professor concerned may appeal to CAUT the local's refusal to proceed to arbitration. In such a case, the CAUT may request the local to submit the matter to arbitration, and the local shall then do so. The agreement between the CAUT and the local shall specify that in such a circumstance the CAUT will name those who are to argue the case, and shall share the costs of arbitration with the university.

6. That the CAUT endorse the principle of one-man arbitrations in collective agreements provided that a three-man panel be available as an option to either party in arbitrations involving non-renewal, denial of tenure, denial of promotion leading to non-renewal and dismissal for cause. Such an option would also be preferable for collective grievances brought by the Association (union grievances).
7. That CAUT reaffirm the principle endorsed in the Policy Statement on Academic Appointments and Tenure that arbitrators should be chosen outside the particular university where the case occurs. Such arbitrators should be familiar with the customs, practices, nature and spirit of the academic community.
8. That there should be provisions in the agreement to accommodate affirmatively asserted conscientious objection to membership in the association through an arrangement whereby the dues are remitted either to the association or to an alternative recipient agreed to by both the association and the university.
9. That the constitution of the association expressly provide that an individual faculty member or a group of faculty members can appeal to the CAUT, without prejudice to their rights or standing in the association, and that the association can also appeal to the CAUT in any case where there is a disagreement between the individual faculty member or group of faculty members and the association. (This clause has been referred to the Collective Bargaining Committee for further study.)

1. The exact nature of affiliation between locals and the CAUT and the relationships among locals, CAUT and provincial faculty associations in cases where provincial associations exist may require further clarification and discussion.

DIRECTIVES EN MATIÈRE DE NÉGOCIATION COLLECTIVE

Le bureau de l'A.C.P.U. a adopté en juin 1973 un énoncé provisoire de politique en matière de négociation collective qui figure aux pages 132 et 133 du Guide de l'A.C.P.U. En mars 1974, le Bureau a approuvé les modifications proposées par le Comité de la négociation collective. Les directives suivantes ont été approuvées par le Conseil de l'A.C.P.U.

L'A.C.P.U. reconnaît que la négociation collective peut être un moyen efficace d'atteindre ses objectifs, c'est-à-dire de défendre la liberté universitaire et « de défendre les intérêts des professeurs et des chercheurs des universités et collèges du Canada, de travailler au relèvement des normes de leur profession et de chercher à améliorer la qualité de l'enseignement supérieur au Canada. » (Règlement de l'A.C.P.U. Section 11.2.1.)

Il est particulièrement important que les associations de professeurs, lorsqu'elles s'efforcent d'aboutir à la signature d'une convention collective, soit par le biais de la reconnaissance volontaire, soit par le biais d'une accréditation, fassent en sorte:

1. Que les objectifs de la convention collective en vue soient clairement expliqués aux membres et reçoivent leur approbation avant la demande officielle de reconnaissance volontaire ou d'accréditation. (Cela n'interdit pas d'aider les associations de professeurs qui avaient déjà pris les dispositions prévues par la loi pour obtenir l'accréditation, avant l'adoption des présentes directives.)
2. Que les termes de la convention garantissent, en ce qui concerne les conditions d'emploi, la réalisation concrète et la défense des principes de l'A.C.P.U., et comportent en particulier:
 - a. des garanties expresses touchant la liberté universitaire et la permanence, telles qu'elles sont définies par l'A.C.P.U. dans ses énoncés de politique et ses directives

touchant les nominations et les autres questions relatives aux droits contractuels, professionnels et individuels des professeurs;

- b. des mécanismes et dispositions propres à assurer la participation des professeurs à la gestion universitaire et notamment la participation des professeurs aux différentes instances académiques.
3. Que les termes de l'accord garantissent la création d'une procédure nettement définie en vue de l'étude expéditive des problèmes et des plaintes, procédure qui serait pleinement accessible à tout professeur ou groupe de professeurs en cause.
 4. Que la Convention collective garantisse à tout professeur le droit de recourir personnellement à l'arbitrage dans les cas de révocation motivée.
 5. Que, avant la signature d'une Convention collective, l'A.C.P.U. et l'association locale¹ se soient formellement entendues par écrit pour que, dans les cas de griefs touchant le non-renouvellement, les refus de la permanence ou le refus d'un avancement aboutissant au non-renouvellement (voir l'article 4 pour les cas de révocation), pour lesquels l'Unité syndicale a seule le pouvoir de décider s'il convient ou non de porter le grief en arbitrage, le professeur en cause ait la possibilité d'en appeler à l'A.C.P.U. du refus de l'Unité syndicale de porter sa cause en arbitrage. Dans un tel cas, l'A.C.P.U. peut demander à l'Unité syndicale de soumettre la question à l'arbitrage, et l'Unité syndicale doit alors s'exécuter. L'entente entre l'A.C.P.U. et l'Unité syndicale doit spécifier que, dans un tel cas, l'A.C.P.U. nommera les défenseurs de la cause et partagera les frais de l'arbitrage avec l'Université.

6. Qu'il soit clair que l'A.C.P.U. approuve le principe de commissions d'arbitrage composées d'une seule personne en matière de convention collective, à condition que chacune des parties ait la possibilité d'opter pour une commission de trois membres dans les causes de non-renouvellement, de refus de la permanence, de refus d'avancement aboutissant au non-renouvellement et de révocation motivée. Une telle option serait également préférable dans les cas de grief collectif présenté par l'Association (revendications syndicales).
7. Qu'il soit clair que l'A.C.P.U. exige, conformément à l'énoncé de principes relatif à la nomination des professeur et à la permanence de l'emploi, que les arbitres soient choisis à l'extérieur de l'Université où le litige se produit. De tels arbitres doivent être bien au courant des usages, des méthodes, de la nature et de l'esprit du milieu universitaire.
8. Que la convention collective prévoit que les professeurs qui refusent par principe d'appartenir au syndicat puissent remettre les cotisations soit au syndicat, soit à un autre bénéficiaire accepté par le syndicat et par l'université.
9. Que la constitution du syndicat autorise expressément un professeur ou un groupe de professeurs à faire appel à l'A.C.P.U., sans préjudice de leurs droits ou de leur situation au sein de l'association, et que le syndicat puisse lui-même faire appel à l'A.C.P.U. en cas de désaccord entre un professeur ou un groupe de professeurs et l'association. (Cet article a été renvoyé pour complément d'étude au Comité de la négociation collective.)

1. Il se peut qu'il soit nécessaire de clarifier davantage la nature exacte de l'affiliation entre l'association locale et l'A.C.P.U. de même que les relations entre l'association locale, l'A.C.P.U. et l'association provinciale dans les cas où existe telle association provinciale.

What will CAUT do?

If a faculty association decides to consider seriously collective bargaining or to proceed to certification, it can count on a range of services from CAUT. CAUT has professional officers who have the experience and knowledge to assist local associations in considering the pros and cons, drafting and presenting a bid for certification to a labour board, preparing proposals and conducting negotiations. All it requires is a letter or telephone call to the Executive Secretary, Donald C. Savage in Ottawa, 66 Lisgar Street, K2P 0C1 or to Marie-Claire Pommez at the same address and phone number. (Telephone is 613-237-6885.)

The CAUT has set up a collective bargaining fund to assist local associations in the process of securing certification. Last year funds were provided to Manitoba, Nelson and St. Mary's.

The CAUT has created a standing committee on collective bargaining. Its chairman is Professor C.C. Bigelow. He is the Chairman of the Department of Biochemistry at Memorial University and can be reached at that address. The other members are Professors Bernard Adell, Faculty of Law, Queen's University; M. Jean-Denis Gagnon, Droit, Montréal; Roland Penner, Law, University of Manitoba; Joe Rose, Business Administration, University of New Brunswick; Mark Thompson, Faculty of Commerce, University of British Columbia; Jill Vickers, Political Science, Carleton University; Marie-Claire Pommez, CAUT.

The prime purpose of the committee is to help adapt collective bargaining to the university milieu. It studies particular problems, such as tenure and collective bargaining, the continuation of rights and the like in order to provide position papers for interested faculty associations. It will soon be issuing a primer on collective bargaining similar to the one on tenure which is to be found in the *CAUT Handbook*. The Executive of CAUT has also authorized a clause finder to ensure that faculty bargainers have all the Canadian precedents at their finger tips. This will be issued in sections, and the first will deal with dismissal. Members of the committee also join with other faculty members who have experience in this area to form a "flying circus" which is available to associations who desire discussion of the merits and problems of collective bargaining. Any requests should be made to the Executive Secretary of CAUT.

Finally CAUT has issued a set of guidelines in the area of collective bargaining which are to be found elsewhere in this issue. These guidelines reflect the desire of CAUT to ensure that collective bargaining becomes an agency for securing the ends of the association and defending the contractual and economic rights of its members. It is not an easy task to reconcile individual and collective rights, but CAUT is determined that collective bargaining will be our servant and not our master.

USA and UK... *Cont'd from p. 16*

proximately 80,000 faculty members—an eightfold increase since 1968. The list includes the City University of New York, all the campuses of the State University of New York, the entire college systems of New Jersey and Pennsylvania, Rutgers including the medical college, St. John's University in New York and the University of Rhode Island. All publicly supported universities and colleges in Florida will soon choose agents as will the University of Hawaii. Not everyone, however, has been convinced. Both Syracuse and New York University voted recently against certification.

However, the trend is almost certain to continue if only because of one of the peculiarities of American law. American universities, unlike Canadian, are clearly defined as private or public. Faculty at public universities are governed by the legislation designed for civil servants which in the majority of states prohibits or impedes collective bargaining. This is why unionization has been restricted to certain states such as New Jersey, New York, Pennsylvania, Rhode Island, Massachusetts, Michigan and Hawaii. However, a great many states are currently considering legislation to allow collective bargaining in the public service, and a fair number are expected to act in favour within the

a great many states are currently considering legislation to allow collective bargaining in the public service. This will allow university faculty to organize

coming academic year. This in turn will allow university faculty to organize, and most observers expect that they will do just that. Private universities of a reasonable size may certify under the National Labour Relations Board and judgments over the past two years suggest that there are few barriers to impede those who wish to do so.

In the United Kingdom the British Association of University Teachers (AUT) has also taken the path into collective bargaining. From its foundation in 1919 until recently the AUT eschewed such formal arrangements and concentrated on informal methods, particularly in the area of salaries and fringe benefits. However, the decision of the Heath government to introduce the Industrial Relations Act impelled many independent professional groups to seek or to consider certification as a union. The AUT chose this course of action and formally became a trade union as did practically all of its locals. Their decision must also be seen in the context of the rapid expansion of British universities and the consequent lessening of the effectiveness of gentleman's agreements. The centralized negotiation of salaries and other economic matters in the United Kingdom facilitates the decision. As David Crevier pointed out in his article on the British Universities Grants Commission in the March 1974 Bulletin (Vol. 22, No. 4), the AUT participates in a two-stage collective bargaining process, first with the vice-chancellors of the universities and then with the government. Traditionally the AUT has left matters of academic freedom and the procedures for dealing with faculty contracts other than on the economic side to its local associations. However, in the last year the AUT has moved decisively to negotiate terms and conditions of employment as well as salaries. The AUT also negotiates for librarians and university administrators. One symbol of the change in the AUT was the choice of a non-academic as the general secretary. The choice fell on a barrister and trade union leader. The AUT also has some opposition from ASTMS (Association of Scientific, Technical and Managerial Staff) but this is not nearly so significant as the competition to the AAUP in the United States and, at the moment, seems centred on the question of who should represent graduate assistants.

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**CANADIAN IMPERIAL
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Welcome new insights into unionization on campus

Encountering the Unionized University, edited by Jack H. Schuster. New Directions for Higher Education, Volume II, Number I, Sequential Number 5. San Francisco: Jossey-Bass, Inc., Spring 1974. Pp. 106.

The pace of the advance of collective bargaining in North American colleges and universities is rapidly being matched by the quantity of literature devoted to the issues of faculty unionization. This collection of articles attempts to identify several trends emerging from the complex situation that presently exists.

For some academic persons, collective bargaining comes as a welcome solution to the problem of establishing increased participation in decision-making in the face of apparently arbitrary, insensitive administrations and accountability-minded politicians; for others it signifies the beginning of the end of an era of cosy, collegial, shared authority, and portends disastrous and irreversible changes in faculty culture and institutional governance. Due to the recent appearance of collective bargaining and the scarcity of comprehensive studies of the effects of its introduction in a variety of academic settings, it is perhaps too soon to assess the reality of these basic hopes or recurrent fears. Nevertheless, collective bargaining is rapidly becoming established as a fact of academic life and any new insights on its problems and probable consequences are welcome indeed.

The effects of unionization on institutional governance is a topic on which experience and opinion equally may support pessimistic or optimistic conclusions. Theoretically, the collective bargaining model and the shared authority model appear to exhibit basically incompatible features; in practice, however, the ideals of shared authority may be fortified through collective bargaining by formalizing established practices or gaining legal status for new procedures. A belief in the possibility of the peaceful coexistence of academic values and bargaining techniques appears to have supplanted the either-or dichotomy of some earlier assessments, particularly in the light of new approaches that have modified the inappropriate elements of the industrial model of unionism. The discussion of recent experiences in dealing with such problems as the dependence on outside agents, the incorporation of governance provisions into contracts, the resolution of jurisdictional conflicts, and management rights, supplies a much-needed background for understanding this vexing problem. Due to the difficulty in distinguishing academic and governance issues, some institutions may be heading for a compromise situation in which faculty, through their unions, make gains in the former area while the administration preserves supremacy in the latter sphere. Persistent apathy on the part of faculty in matters of governance will hasten this trend and, like the citizens of the larger political state, they will get the form of governance they deserve.

One of the more unusual theses presented in this book is the proposition that the major threat to higher education is not collective bargaining, but lies in forces outside the academy, to which collective bargaining is a response. In this view, the over-concern for the impact of collective bargaining on internal relationships and decision-making processes is misplaced and must be countered by greater attention to external political and economic developments. An immediate implication of this proposal, of course, is the requirement of closer alliances with organized labour. This socialist-inspired insight perhaps will gain more support from the younger, underpaid faculty of marginal colleges than from the wealthy professors of affluent, established universities. The further claim that noneconomic issues at the bargaining table

have basically economic roots is one which may be disputed on ideological grounds; nevertheless, there is more than a grain of truth in the observation that increased agitation for improved salaries, promotion policies, tenure regulations, sabbatical leaves, and the like, reflects the current economic scarcity and depression in higher education. At the same time, it is useful to be reminded that the traditional academic freedom in teaching, curriculum, and research also may be jeopardized through budgetary constraints determined on the administrative policy-making level, with little or no faculty consultation. The threat of greater managerial control by administrators or government officials, therefore, is the ground upon which collective bargaining can be regarded as an internal, conservative, and defensive tactic on the part of faculty to a problem essentially external to the university, one to which a response must be made in terms of the broadest possible perspective.

The influence of collective bargaining on the behaviour of administrators is a topic which has seldom received sufficient attention. If the arguments presented in this book are correct, there is reason to believe that the role of management in higher education can actually be strengthened under collective bargaining. Pressures for efficiency and accountability have been felt by administrators before the arrival of faculty unionism, but undoubtedly they will be intensified in the new situation. Participation in the bargaining relationship will yield certain dividends for management: improved methods of data collection, storage, retrieval, and accuracy, enhanced channels of communication, more effective decision-making procedures, and increased awareness of administrative priorities. The relative stability of agreements over a period of time and the delineation of respective spheres of action constitute an additional benefit to administrators and faculty alike.

In discussions of faculty collective bargaining, an inescapable problem lies in the definition of the "faculty" for the purposes of establishing the bargaining unit: shall it encompass part-time members and non-teaching professionals, along with regular staff members? If they are included, some substantial power shifts may be expected in faculty decision-making. Questions concerning the inclusion of department chairmen and the separate

recognition of faculty members by disciplines in determining the scope of the bargaining unit pose additional thorny problems. Whatever may be the nature of their resolution, it is likely that hitherto unexplored lines of involvement will develop for specialists in areas related to the bargaining process. The stronger voice of the faculty will require the active participation of experts in law, politics, economics, business administration, and education, in the negotiation and evaluation of contractual agreements.

A welcome aspect of this book is the discussion of the probable role of students in the bargaining process, for an assessment of the nature and extent of student clout has not been a prominent feature of most accounts of faculty collective bargaining. As the reports of the disparate happenings at CUNY and the Massachusetts State College System indicate, experience has ranged from pitched battle to tripartite bliss. The initial instinctive sympathy of students for the faculty cause cannot be counted on in the future as their political wisdom increases, and with it their awareness of what they have to gain or lose in the face of faculty unionism.

It is the editor's belief that bargaining models developed in other countries, such as Great Britain, Canada, Sweden, and Israel, have little transferability to the American scene, due to the diversity and decentralization of higher education in the United States. However, can the American experience teach us in Canada anything of value? Perhaps, if only we can discern, among the richness and confusion of the American panorama, relevant experiences which can fit our own unique background and present context. In this search, the present volume is recommended supplementary reading to *Collective Bargaining for University Faculty in Canada*, by B. L. Adell and D. D. Carter.

Unfortunately, single copies of this book are not available; it must be ordered by subscription to the series published quarterly (earlier numbers dealt with faculty development, budgeting strategies, student services, and the evaluation of learning and teaching), otherwise in quantities of five or more copies at \$3.75, a condition which local faculty association offices easily could meet.

James B. Hartman

Arbitration: a guide to the amateur

Arbitration at a Glance: A Manual on How to Prepare and Present a Grievance to a Board of Arbitration. By Chris Tower. Toronto: Labour Research Institute, 1973. pp. 255-viii. \$10.

Mr. Tower, a staff member of the United Steelworkers of America, has prepared a handy guide to arbitration proceedings. Most books on arbitration are written from the point of view of the arbitrator or the labour lawyer. This book,

however, is intended to assist the union representative in making his case before a board of arbitration. It takes the amateur through the whole process — preparation, opening formalities, briefs, procedure, examination of witnesses, argument, summation. It also includes some useful appendices on particular points such as a series of summarized cases involving the circumstance in which the union can put a grievance, a discussion of onus in discharge and discipline cases, another on the Tanser principle in relation to discipline for incompetence plus some sample briefs. Mr. Tower has succeeded in his task for he has created a practical and useful book for the layman.

Donald C. Savage

Richesse de l'information sur l'état de la syndicalisation et de la négociation collective dans l'enseignement supérieur américain

Faculty Bargaining in the Seventies, Terence N. Tice (Éditeur). 408 pages, publié en 1973 par The Institute of Continuing Legal Education.

«*Faculty Bargaining in the Seventies*» a été rédigé par un groupe d'auteurs rattachés au domaine des relations de travail, en leur qualité de professeurs, de fonctionnaires gouvernementaux ou d'administrateurs dans le domaine de l'éducation. Le livre est divisé en trois parties. La première, intitulée «*The Approach to Bargaining*», analyse surtout les aspects légaux de la négociation collective dans la fonction publique et dans l'enseignement en particulier; elle comprend 5 chapitres. La deuxième, intitulée «*The Bargaining Process*», présente les aspects techniques de la négociation et de l'application des termes d'une entente négociée dans le contexte de l'enseignement supérieur; elle comprend 5 chapitres. La troisième, intitulée «*The Situation in the States*», présente une analyse exhaustive de la situation à travers les États-Unis. Le livre se termine par une série d'annexes et une intéressante bibliographie de 35 pages sur la négociation collective dans le secteur public et dans l'enseignement supérieur.

La valeur principale de cet ouvrage réside dans la richesse de l'information qu'il nous fournit sur l'état de la syndicalisation et de la négociation collective dans l'enseignement supérieur américain. Mentionnons d'abord que l'enseignement supérieur, tel que défini dans l'ouvrage, englobe tout l'enseignement qui se situe au-dessus du niveau «*High School*». On y distingue fondamentalement trois types d'établissement: les universités, les «*4-year colleges*» et les «*2-year colleges*»; on distingue également les établissements publics et les établissements privés.

L'une des préoccupations du livre, et l'une de ses qualités, est de présenter la situation de la syndicalisation dans l'enseignement supérieur dans le contexte plus général et déterminant de la situation qui prévaut dans l'ensemble du secteur public américain. Sur ce point, le livre de T. Tice nous fournit des renseignements intéressants.

«Thirty-seven states now have some form of legislation or regulation affecting labor-management relations in the public sector... Only one-third of these thirty-seven states, perhaps less, have statute that measure up to any standard which permits a viable labor-management relationship to develop.»

«...Of the thirty-seven states only seventeen have legislation that in some manner affects faculty members at public institutions. The remainder have laws that exclude faculty members or that affect only local governmental employees, teachers, police, firemen, nurses or classified state employees» (pages 8 et 9).

C'est dans ce contexte relativement peu développé des relations de travail dans le secteur public américain qu'il faut analyser l'effort de syndicalisation dans l'enseignement supérieur.

Cet effort est donc très variable d'un état à l'autre et d'une région à l'autre et sur ce point la troisième partie du volume (pp. 177 à 238) donne une excellente description de la situation. Elle nous apprend que parmi les 194 unités de négociation connues en date d'avril 1973, 172 se trouvaient dans le secteur public (dans 288 établissements ou campus) et 22 dans le secteur privé (dans 26 établissements ou campus); que 89 de ces 314 établissements ou campus se situaient dans l'État de New York, 34 au Michigan, 27 au New Jersey, 26 à Washington, 25 en Pennsylvanie, etc...; que 273 de ces 314 établissements ou campus se trouvaient dans 9 États: tous des états industriels du nord-est ou du mid-west; que ces unités de négociation regroupaient 78,750 personnes, dont environ la moitié, 38,195, dans l'État de New York; que ce nombre regroupe environ 15% du personnel enseignant à plein temps dans les établissements publics; que parmi ces 314 établissements, la grande majorité, soit 203, sont des «*2-year colleges*», 90 sont des «*4-year colleges*» et seulement 21 sont des universités, dont 11 publiques et 10 privées; que les syndiqués sont regroupés principalement en trois

grandes associations: l'American Association of University Professors (AAUP), majoritaire dans les universités, l'American Federation of Teachers (AFT) affiliée à l'AFL-CIO, et la National Education Association (NEA), ces deux dernières étant majoritaires dans les «*2-year* et «*4-year colleges*».

Ce dernier point d'information permet de constater que le problème des enseignants face à la question de l'unité syndicale existe également outre-frontière et que ce problème est d'autant plus important qu'on s'élève dans le niveau de l'enseignement supérieur. Rappelons à ce sujet, qu'au Québec, seul le Syndicat des Professeurs de l'UQAM est affilié à une centrale ouvrière, la CSN.

Ce point n'est certes pas le seul que nous ayons en commun avec nos collègues américains. En effet la première partie du volume de T. Tice nous permet de constater, malgré de nombreuses répétitions qui auraient pu être évitées d'un chapitre à l'autre, que des problèmes tels la définition de l'unité d'accréditation et de l'employeur, la forme de négociation, les moyens d'action à entreprendre, sont l'objet de discussions dans les universités américaines comme dans les universités canadiennes. En ce qui concerne la définition de l'unité d'accréditation, mentionnons les problèmes de l'inclusion ou de l'exclusion des professeurs de droit et des directeurs de département. Par rapport à la forme de négociation, l'ouvrage évalue les «*avantages*» respectifs des diverses formes de regroupement: syndicat, association, sénat académique. Par rapport aux moyens de pression, le débat bien connu sur le bien-fondé ou la nécessité éventuelle de recourir à la grève est également soulevé.

C'est par rapport à ce type de questions d'une importance primordiale et surtout dans la deuxième partie du volume où l'aspect pratique et organisationnel de la négociation est analysé, que le volume de Tice nous cause certaines déceptions. Et cela tient sans aucun doute à l'optique dans laquelle cet ouvrage a été conçu. Comme malheureusement beaucoup trop d'ouvrages universitaires le font, le livre de Tice se situe essentiellement «*au-dessus*» des parties en cause dans la négociation et vise à donner à l'une comme à l'autre des conseils qui devraient permettre un déroulement harmonieux des négociations. C'est en ce sens que la négociation est analysée beaucoup plus comme un «*modèle*» ou une forme possible de dialogue entre deux parties à choisir parmi d'autres dans le contexte traditionnel de la recherche des intérêts de la «*communauté universitaire*», et non pas comme un rapport de force entre deux parties ayant des intérêts divergents, imposé par la réalité objective de la dégradation des conditions de travail des enseignants. C'est ainsi que le chapitre 6, par exemple, intitulé «*Preparations for Bargaining*» établit dès le début qu'il est «*designed especially to aid attorneys charged with giving assistance on faculty collective bargaining, whether the client is a bargaining agent or a governing board*» (page 79). Puis s'engage une énumération quelque peu soporifique d'une foule de détails ou même de recettes, précisant jusqu'aux dimensions de la table de négociation (page 93). C'est ainsi également que le chapitre 7, intitulé «*The Dramatic Action of Bargaining*» nous présente la négociation comme une pièce de théâtre où une intrigue se déroule avec ses personnages, ses actes, etc...

Cette optique générale dans laquelle le volume envisage la négociation ne peut par conséquent éviter de la considérer comme un processus purement bureaucratique. S'il est indéniable que la qualité du conseiller juridique et du dossier technique sont des exigences fondamentales du succès d'une négociation, on ne saurait trop insister par ailleurs sur le rôle essentiel que doivent jouer les principaux concernés, c'est-à-dire les membres de l'unité de négociation, à chaque étape de la négociation. Ce sont eux et personne d'autre qui doivent, à partir d'une information complète et donnée régulièrement par les négociateurs, con-

trôler le processus de la négociation, prendre toutes les décisions importantes. C'est la condition sine qua non d'un fonctionnement syndical démocratique. Or que nous propose le volume de Tice par rapport à cela? C'est probablement le chapitre 7 qui est le plus éloquent, pour ne pas dire le plus «*dramatique*», à ce sujet. En effet, caractérisant la «*pièce de théâtre*» qui est sur le point de se dérouler, notre auteur en dit ceci:

«It takes place upon a stage where actors engage, but for whose performance there is no audience. The curtain never opens while the drama is in process. Indeed, the curtain closes as the action begins and does not open again until the plot is concluded. The action proceeds behind a wooden curtain.» (pages 96 et 97)

Ce n'est qu'à la fin de la négociation, dans l'esprit de l'auteur, que le voile sera levé sur tout le mystère qui aura enveloppé la négociation depuis le début.

«Then and only then, the curtain which closed at the initiation of bargaining will be opened, so that what was developed in private will become public.» (page 110)

C'est dans cette même optique générale que le volume considère la syndicalisation comme forçant un changement du mode de gestion (governance) universitaire, comme si la syndicalisation elle-même n'était pas la réponse qui s'offre aux salariés face à une détérioration de leurs conditions de travail et à l'attitude patronale qui administre cette détérioration.

C'est aussi dans le même esprit que le volume suggère un certain nombre de solutions de type bureaucratique à des conflits éventuels dans le chapitre 9, intitulé «*Mediation and Fact-Finding in the Academic Setting*». L'auteur de ce chapitre, un administrateur public, s'appuyant sur la déclaration suivante: «*A strike by professional employees of a college or university is not likely to do more than disturb the peace of the institution*» (page 131), analyse différentes avenues de médiation, l'arbitrage obligatoire ou non obligatoire, comme mode de résolution des conflits. Comme on le sait, ces méthodes ont toujours joué au détriment des salariés quant aux résultats. Elles doivent aussi être combattues au nom du principe affirmant la nécessité d'assurer le contrôle exclusif de toutes les étapes d'un règlement négocié par les membres de l'unité de négociation, y compris la décision de recourir à tel ou tel type de moyen d'action pour appuyer leurs revendications. Malheureusement, sur ce point, comme sur beaucoup d'autres, l'ouvrage se contente de nous présenter une analyse de «*spécialiste*» plus préoccupée de maintenir la paix de la «*communauté universitaire*» que des moyens d'assurer une solution satisfaisant les salariés.

En somme si le livre de Terrence Tice constitue une source d'information très riche qui mérite d'être consultée, il est par ailleurs décevant sur le plan de l'analyse et cela tient au caractère strictement «*universitaire*» de son approche qui vise, implicitement ou explicitement selon les chapitres, à se situer au-dessus des problèmes et en dehors des parties en cause, sous prétexte de garantir la neutralité nécessaire à une analyse soit-disant objective de la situation. On ne peut viser à rejoindre en même temps deux groupes dont les intérêts sont divergents, en l'occurrence les employeurs et les salariés, sans manquer son coup à moitié. C'est malheureusement ce que fait le livre de T. Tice et cela l'amène à négliger l'aspect qui, pour nous syndiqués, est fondamental, c'est-à-dire celui de notre regroupement syndical face à la concertation patronale et au contrôle gouvernemental de nos conditions de travail, de la nature de ce regroupement, de son fonctionnement démocratique et de son rôle par rapport aux batailles à entreprendre.

Louis Gill

University collective bargaining : U.S. models

National Center for the Study of Collective Bargaining in Higher Education Proceedings First Annual Conference April 1973, ed. Maurice C. Bonewitz. New York: Baruch College, 1973. Pp. 136.

College Teaching and Teachers: Legal Implications of Academic Affairs Alabama: Institute of Higher Education Research and Services, University of Alabama, 1973. Pp. 69, mimeo.

Collective Bargaining in Postsecondary Educational Institutions: Applications and Alternatives in the Formulation of Enabling Legislation Denver: Education Commission of the States, 1974. Pp. 104 + v.

Collective Bargaining in Higher Education H. I. Goodwin and J. O. Andes Contract Content 1973 Morgantown: University of West Virginia, 1974. Pp. 115 + v, mimeo: \$7.50.

The proceedings of the National Center for the Study of Collective Bargaining are lively and interesting. There are three contentious general papers. One of the most interesting is the reluctant conversion of Sidney Hook, the noted philosopher and critic of the New Left, to collective bargaining. Hook discusses many of the drawbacks to collective bargaining in the universities but concludes that it is inevitable and that faculty should choose models that most conform to the academic mission of the university by insisting, for instance, that all arbitrators be distinguished educators without parti pris. On the other side Professor Donald H. Wollett of the University of California argues that collective bargaining must mean the end of self-government and collegiality—results that he would find pleasing since he considers these notions fraudulent in practice. The Chancellor of the City University of New York discusses some of the general problems that have arisen at CUNY but assumes throughout that collective bargaining is here to stay.

Most of the other contributors deal with particular problems—management rights, the use of arbitrators, tenure and collective bargaining, due process and collegiality. There are two papers on management rights which are well worth reading—an analysis of current American practice by Margaret K. Chandler and Connie Chang and a splendid polemic by Israel Kugler, the Deputy President of the Professional Staff Congress at CUNY. I would also draw attention to the paper of Woodley B. Osborne, Director of Collective Representation and Associate Counsel of the AAUP, entitled, "Is Tenure a Bargainable Issue?". Osborne believes not only that it is bargainable but that it should be. He points out that tenure has been undermined in many circumstances where there was no collective bargaining on the campus—unilateral action by trustees or bureaucrats or politicians—and that the strength of tenure will likely be decided by political and educational forces that may well have little to do with whether or not a faculty association is a certified bargaining agent. However, he points out:

"The fact is that collective bargaining can have a positive impact on provisions for tenure. By incorporating the traditional mechanisms of collegial judgment into a collective bargaining agreement, one can insure that they are binding upon the administration and the faculty. By subjecting alleged violations of agreed-upon procedures to arbitral review, one can reinforce the integrity of the process by which faculty status is determined; and by incorporating provisions for tenure into a binding agreement, a college or university can protect those provisions against incursions from outside the institution."

The other three books are of the less useful variety although for different reasons. The publication from Alabama stems from a conference on university legal problems held in 1973. The consequence is a grab-bag of papers, two

of which deal with collective bargaining in the universities. Richard Thigpen, an executive assistant to the president of the University of Alabama, thinks that the drive to collective bargaining will decline because the university is passing from an age of legalism to one of consumerism. Since these terms are not defined with any precision, the whole exercise seems rather pointless. The commentator, Joan North of the same university, wisely avoided discussion of the main paper and instead gave a summary of some of the reasons for collective bargaining and some of the effects on other parts of the university community. There is nothing much of interest to Canadian academics in these two articles except perhaps Ms. North's quote from President Kennedy to the effect that when things are well coordinated and running smoothly and happily, that is a sure sign that nothing very significant is happening.

The publication from the Education Commission of the States is interesting but deals with a problem that is not relevant in any province in Canada except possibly Alberta. In the United States professors at state universities are legally considered to be state employees. Many American states do not permit collective bargaining by state employees. Since a large number of these states are now considering legislation to legalize collective bargaining, the Education Commission has produced a book for legislators on the pros and cons. However the situation is rather different in Canada since faculty associations in five provinces are already certified bargaining agents under regular labour legislation, and it would appear unlikely that there would be any significant legal barriers in most other jurisdictions.

I place the West Virginia publication among the less useful for still another reason. It surveys the clauses to be found in collective agreements in 1973. However, it does not identify the institutions concerned, and it makes a great deal of difference whether or not the clauses come from a junior college in the Midwest or a four year university in the East, from Podunk U or the City University of New York. Canadian readers should be aware that many junior and community colleges in the United States are very authoritarian and are given to rather rigid regimentation of hours and other details of their contracts. The unwary might assume from this publication that such management domination is inherent in American collective bargaining when this is not the case. There is also some summarizing which must involve a certain editorial discretion. It seems to me that a publication such as this should include all clauses and indicate where they come from. Readers should know that there are alternative sources which provide this type of information. They should also know that many of the contracts listed here are, as Professor Donald Wollett has pointed out, unimaginative and mediocre but that this reflects either the constraints of the local situation particularly in junior colleges or the leadership provided by the union, not the inherent possibilities available to faculty under collective bargaining. In general I hope that Canadians will not use such American publications uncritically since there are differences in the law, terminology and university practice of the two countries and since a good deal of the information in the United States derives from junior colleges rather than four year universities.

Donald C. Savage

Content of Collective Agreements

Collective Bargaining Agreements in Higher Education Stephen Moses, 1973, 137 pages, Department of Higher and Adult Education, University of Missouri, Columbia, Missouri.

This monograph, originally prepared as a doctoral dissertation, studies the collective bargaining agreements in existence as of January 1972. Before this is done, though, the author sets out the environment of these agreements. Thus, first, he outlines the history of academic collective bargaining and describes the attitude towards collective bargaining of the three Education Organizations: the American Federation of Teachers (AFT), the National Education Association (NEA), and the American Association of University Professors (AAUP). And secondly, he summarizes the legal aspects of academic collective bargaining. One thus becomes aware of the complexities of federal and state regulations, for private and for public institutions.

The author went over ninety-four agreements and selected some major items for comparison purposes. Three main areas of concern were delineated: union security, wage and effort, and individual security.

Union security consists of the description of the bargaining units and the contract duration. Since bargaining units are composed of many diverse constituencies, for simplicity, six types were developed:

- Type I: Instructors, Librarians, and Counselors.
- Type II: Same as type I, excluding Department Chairmen.
- Type III: Only Full-time teaching Personnel.
- Type IV: All staff holding Faculty Rank.
- Type V: Same as Type I, plus Registrars and Business Managers.
- Type VI: All professional staff except the President.

Wage and effort consists of salary scale and workload provisions. Because comparing salaries is not an easy task, it was decided to utilize the annual survey conducted by the AAUP. Workload provisions are those which refer to maximum number of credit hours per semester that an instructor will teach.

Individual security consists of academic freedom, tenure, and grievance procedure. For the purpose of the study, academic freedom was divided into the three components of the AAUP 1940 Statement of Principles and Interpretative comments on Academic Freedom and Tenure.

- Type I: freedom in research and publications.
- Type II: freedom in the classroom.
- Type III: freedom as a citizen.

The author notes that no provision regarding academic freedom or tenure does not imply a lack of institution policy. As to grievance procedure, it is one of the most important provisions from the faculty view-point.

"This study sought to find out what frontier we are on, based on where we came from, and what type of settlements are being concluded." The author also concludes by saying that, in the future, collective bargaining might be "something other than the conventional *modus operandi* of simply a contract".

Georges Frappier

Faculty bargaining: best defence — a good offence

Faculty Power: Collective Bargaining on Campus, Terrance N. Tice, Editor. Institute of Continuing Legal Education, Ann Arbor, Michigan, 1972. Pp. XVII — 368.

The rapid growth of unionism in the public sector is a relatively recent development. An even more recent development, and by no means an independent one, has been the growing interest in collective bargaining among American and Canadian university professors. *Faculty Power* seeks to increase our understanding of the legal, economic and institutional implications of faculty unionism. The book is an outgrowth of a 1971 conference sponsored by The Institute of Continuing Legal Education at the University of Michigan. The contributors to this volume are primarily lawyers, academics and university administrators and their essays are supplemented by question and answer sessions and panel discussions. There are also nearly two hundred pages of appendixes and a bibliography, which makes this a handy reference book.

Let me begin by making a few general observations. Firstly, this book has a schizophrenic quality. The sections dealing with labour law and its administration seem suited for industrial relations experts, but because of the cumbersome way the material is presented it may confuse other readers. On the other hand, sections dealing with the implications of faculty unionism are more suited to the layman than the industrial relations specialist. This is a result of excessive descriptiveness and a failure to critically analyze a number of important issues. Two examples are particularly noteworthy. In the first instance, there is only fleeting mention of collective bargaining at community colleges. Given that faculty at community colleges represent 75 percent of the academic personnel covered by collective bargaining in the U.S. (while constituting only 16 percent of the faculty), it is surprising that more coverage is not devoted to assessing their experiences and examining the implications of this development for universities. There is also a failure to examine in sufficient detail the growth and significance of unionism among nonacademics on campus.

Brief mention should be made of the possible usefulness of this book as a reference guide for Canadian universities. Generally speaking it does have some valuable resource materials but these tend to be of a technical nature. While the discussions of the pros and cons of unionism and collective bargaining may be informative to the layman, they do not represent a significant addition to the literature. Indeed, Adell and Carters' *Collective Bargaining for University Faculty in Canada* remains a more substantial reference source. In conclusion, this book represents less than a breakthrough; instead it gives one a feeling of déjà vu.

Let us now turn to a more detailed review of the book. Part I describes the legal framework governing collective bargaining in universities and contrasts the bargaining process in the private and public sectors. The legal jurisdiction covering colleges and universities is more complex in the United States than Canada. Private institutions whose gross operating budgets are at least a million dollars are governed by the National Labour Relations Act as a result of decisions by the National Labour Relations Board in the Cornell University case (1970) and the Fordham University case (1971). Other private and public institutions of higher learning are covered by state labour laws for each respective sector. This contrasts with Canadian legislation where colleges and universities fall under the jurisdiction of private sector provincial labour statutes.

The more varied legal framework in the U.S. has several implications. First, it means that laws not only vary between the private and public sector, but can vary within sectors among the 50 states. This means that the scope of collective bargaining, the duty to bargain, impasse procedures and the right to strike will vary among jurisdictions. In addition, labour boards can establish their own guidelines on such matters as the appropriateness of a bargaining unit for collective bargaining. This may include decisions such as the exclusion or inclusion in the unit of certain faculties (law) and employees (supervisors), and the scope of such units, e.g., single campus or multi-campus units. Ample evidence of variations in bargaining unit decision making are given. Finally, it is important to note that only 29 states have statutes applicable to public employees generally and of these, only 6 have explicit provisions for higher education. Thus there are significant numbers of faculty who do not have the legally protected right to collective bargaining.

While this section does present the legal framework governing faculty unionism, it suffers from poor organization. Unless one is trained in labour law or industrial relations it may be difficult to follow the rules and regulations for faculty members at different types of institutions. Greater care should have been taken to present a coherent picture of the similarities and differences between public and private sector labour legislation.

Part II examines in greater detail the application of the legal framework to various types of institutions, e.g., public and private universities, and community colleges. Included in the discussion are the rules and procedures for becoming certified; and elaboration of various policies for determining bargaining units and a comparison of the academic environment in universities and community colleges. There is also mention of the growth of unionization among nonacademics at universities; however, there is little effort devoted to analyzing the implications of this development. For example, what affect will collective power for some groups within the university community have on other groups, e.g., faculty, when it comes to allocating fixed economic resources.

Finally, there is a section devoted to questions such as:

1. Will collective bargaining reduce salary differentials among faculties? and
2. Will collective bargaining create an adversary relationship between faculty and administration?

These are good questions and it's unfortunate that more complete answers are not given. Indeed, more space should have been made available for such purposes.

In Part III, collective bargaining and its alternatives are presented. There is an examination of bargaining experience at the City University of New York (CUNY) and its advantages. These include the growth of faculty power, greater participation in the budgetary process and the development of due process in the evaluation of faculty. Additionally, it appears that collective bargaining actually brought additional money into the university system rather than money being allocated differently so that faculty received a larger portion of the budget.

Charles M. Rehmus' "Alternatives To Bargaining and Traditional Governance" represents a different view. He reviews three basic models of governance. First, there is the traditional model in which faculty play an advisory role and decisions are controlled by administrators (the company uni-

ion). Second, is the trade union model which is founded on exclusive bargaining rights and a conflict of interest. Rehmus advocates an alternative approach—bilateral decision making—as a means of preserving internal decision making. What he is really suggesting is a modified company union in which the university voluntarily recognizes a faculty negotiating committee, everyone behaves rationally and the governing body makes final decisions, "after the two committees (faculty and administration) have had equal time to present their cases to that body". Who's kidding who? Rehmus, a political scientist, clearly fails to understand that faculty unionism has in many instances been a response to the failure of bilateralism, particularly during periods of financial uncertainty. For bilateralism to work there must be a climate of good will and mutual trust among faculty, administrators, governing bodies and legislatures. All of these factors are essential aspects of the industrial relations environment influencing faculty members considering unionization.

The remaining two sections of the book discuss the pros and cons of faculty unionism and the role of collective bargaining. In general the tone is favourable to unionism. A number of contributors note that faculty unionism is a response to limited financial resources, the growth of nonacademic bargaining on campus, legislative interference in universities and a desire for greater faculty involvement in governance. It is generally recognized that collective bargaining is a *means* for achieving faculty goals and represents an effective alternative to "shared responsibility". A number of counter arguments are also raised. It is suggested that collective bargaining will create an adversary relationship resulting in the loss of "shared responsibility" and "collegiality" and place restrictions on faculty autonomy. Moreover, since collective bargaining is restricted to certain subjects it can not be expected to change all aspects of university life.

While these criticisms of collective bargaining are intelligently presented, let us not lose sight of the capacity of collective bargaining to change university life. There is little reason to believe *a priori* that collective bargaining will destroy collegiality, abolish tenure and discourage faculty excellence or is unable to effectively deal with decentralized matters such as compensation. To be sure, collective bargaining will very likely establish more elaborate rules and procedures for promotion, tenure and compensation decisions (what some critics have called the increasing bureaucratization of the University). However, this has its benefits. These include promoting more equitable treatment in such decisions by making accountability commensurate with responsibility and ensuring due process.

Finally, let me interject a couple of points which I do not believe this book makes clear. Firstly collective bargaining is simply a *process* for altering the terms and conditions of employment. Its ability "to deliver the goods" is largely a function of what the faculty wants and how hard they are willing to press their demands. In addition, collective bargaining is an *adaptable* process in that the industrial model need not be applicable to academics just as it is not applicable to professional athletes. Finally some critics of collective bargaining suggest that all we have fought for over the years will be lost if we unionize. The real question should be what recourse do we have if a university unilaterally changes the terms and conditions of employment we've worked so hard and long to establish? Proponents of faculty unionism might suggest that the best defence is a good offence.

Joseph B. Rose

Teaching evaluation: do students have the right answers?

Proceedings of The First Invitational Conference on Faculty Effectiveness as Evaluated by students. Allan L. Sockloff, Editor. Philadelphia: The Measurement and Research Centre of Temple University, 1973.

"I should confess in the beginning that I am not greatly enthused about discussion of systematic evaluation of teaching by students in isolation from other approaches to evaluation of faculty services. (p. 1)"

With these words Paul Dressel opened the first of twelve papers delivered at the Conference. They would also have made a fitting conclusion. The whole question of a broad "system" of evaluation tended to be ignored. As a topic, it was moved from third to last in the program. One of the papers presented under Systems is printed in the *Proceedings* under Instruments because the author talked more about the latter.

These *Proceedings* are distinguished by their being already prefaced by a review. The editor acknowledges the restriction to evaluation of faculty by students. He notes that not much that is new or earthshaking was said at the Conference. He was surprised at the amount of redundancy among papers, that even though five general headings were specified speakers repeated each other.

The five topics were General, Impact, Systems, Instruments, and Correlates of student ratings. Reading the papers now, one would categorize them as Overview (the Dressel paper), Evaluations by Students and the "Big Picture," How we Do It at University X, and Research on Student Ratings. Of the papers on Impact and Systems, only Doyle's deals in depth with more than a single outcome of student ratings. All the papers on Instruments report work conducted within single institutions, limiting the generalization of any conclusions.

As mentioned, Dressel provides a lucid and comprehensive overview of major issues involved in the evaluation of instruction, from the complexity and variety of teaching activities to be evaluated to the relations among ratings and other sources of relevant data. The treatment is brief but well done. The editor regards this paper as pessimistic. Hardly; Dressel simply manages to keep his perspective. Optimism-Pessimism is not the issue.

Centra modestly cites only one of his own studies on the effects of ratings. He has done many, and his paper has a solid basis in research. He outlines how information gathered by ratings can be used both positively and negatively to influence professors, their teaching, and institutions. His conclusion is carefully qualified: "that a well-designed student ratings program can do more to benefit than to harm the academic community (p. 40)." No such venture is either undertaken nor avoided without risks.

Aleamoni follows up one of Centra's concerns, effects on teaching. He does this through a detailed description of the validation of a rating scale developed at his own university. Little of a general nature is said.

Doyle's paper complements Dressel's very well. Several concepts are further elaborated, and the paper concludes with several fascinating schematic diagrams of an evaluation system. (The Senate Committee on Learning and Development, Loyola of Montreal, chaired by Professor Ron Smith, is actually trying to use this model to develop an evaluation system at Loyola.)

Tuckman tackles a thorny issue: even knowing how to evaluate, how do you get the instructor to do anything about it? He describes a strategy for

"providing teachers with the kind of information about themselves on which change could be based (p. 115)." Carefully chosen words, again — sort of a gentle confrontation process.

Sockloff reviews guidelines and procedures for the design and validation of rating items, and the construction of valid questionnaires from these items.

The papers by Hoyt, Warrington, and Perry and Baumann are essentially case studies. They are useful in describing some of the trials and tribulations actually experienced in trying to do anything about instructional effectiveness.

McKeachie's very brief review makes the direct point that such a wide variety of variables are or are not related to ratings that broad generalizations are impossible at this point. The interpretation of ratings should not be done by persons unfamiliar with the class. The survey does shatter some myths, for example, that difficulty of a course is related to ratings.

Gaff turned the process around. He identified highly rated teachers then went out to discover more about them. He poses a set of important research questions on relations between instructor and student learning in the face of ratings. He forecasts an increase in instructional improvement with the aid of teaching resource centres (of which there are now several in Canada).

The final paper by Clarke and Blackburn emphasizes the need to recognize the teacher as well as the student as an individual (also one of McKeachie's points). The paper could have said, but did not, that a single measure of competence applied in an undifferentiated manner is as unsatisfactory as expecting a single examination procedure to give every student the opportunity to demonstrate what has been accomplished and how.

So, out of 262 pages of *Proceedings*, the papers to read are by Dressel and by Doyle. Sockloff's paper is also instructive, as far as it goes. The remaining papers are interesting but not of much practical help except as examples.

The problem with many of the papers is their implied definition of "Faculty effectiveness as measured by student" exclusively in terms of a rating scale, a device sometimes known as an opinionnaire. Is no more available from students than retrospective opinions? If it is desirable to know how much time students devote to a course, would not a log kept over a period of time by various students throughout the year be more dependable than what they recall later? Would not a stopwatch on teacher talk in conferences and a count of participating students tell more about student participation? There are questions in student rating forms which are not taking advantage of the best sources of the information they seek. They may be reliable and carefully matched to this information (criterion-referenced) but there are often better sources.

The result would be shorter, simpler rating forms, probing the information they serve best. This includes, for example, student preferences, likes and dislikes, suggestions for improvements, overall impressions.

Finally, in this same content, there is a bit of irony in the Conference's attempt to cope with the complexity of the teaching evaluation question. The organizers set out to limit the content to those areas about which most is known. The Preface states that this was done to enable reports to be based on research rather than speculation. This also dictated the limitation to ratings by students of the teacher's work. Anyone relatively unfamiliar with the general field of evaluation should not, however, confuse

Continued on p. 26

Rapport Masson: salaries at Laval

Rapport du comité pour l'étude de la politique salariale du personnel enseignant de l'université Laval.

This report, also known as "Rapport Masson" was first published by FAPUQ, and then, in *Forum Universitaire*, no. 12 (octobre 1973) by l'association des professeurs de l'université Laval. The Committee was established by the Conseil de l'université and was constituted of two members nominated by the Executive of APUL, Prof. Bertrand Belzile and André Côté (secretary of the committee), and of two members nominated by the Executive of the university, Prof. André Dufour and Rodrigue Savoie; its chairman was a member of the university administration commission Prof. Claude Masson, who was nominated by the rector with the consent of the president of the APUL. The Committee was rather special in that it was not a negotiating but a research committee with the task of clarifying relations dealing with salary negotiations between the university and the faculty.

After a review of the present situation, the committee established some basic principles. A salary policy, it said, is nothing but a mean to be used by a certain kind of organization which wants to attain certain goals. In all organizations, which by definition are wholes with different functions pertaining to the parts, the realization of common goals depends on how much individuals and groups identify themselves to the whole. This identification implies that these parts participate in the definition of the goals, in the assignment of tasks, and in the evaluation of the results. It also implies that these parts appreciate and accept the criteria used for the evaluation of the efficiency of individuals and groups within the organization. This, the committee feels is particularly true of a university which, by definition, is a non-profit organization. Thus, the Committee recommends, first of all, that the University establishes: (1) a hiring policy with clear criteria known to everyone, and equally applied to each one, in order to evaluate the equivalence of doctorship in each area of teaching and research; (2) a promotion policy with clear criteria, known to everyone, and equally applied to all, for the passage from one rank to the other; and (3) an evaluation mechanism with clear criteria, known to everyone, and equally applied to all, in order to evaluate the individual merit of each teacher. To this first recommendation, the committee adds that, for better efficiency, all these criteria should be established and applied collegially. One may note that this proposal comes as a leitmotif through the whole report.

The Committee did not look only into salary policy as such, but also into non-monetary conditions. For instance, it distinguished between the protection, the security, and the tenure of employment. Protection, which should be given to all teachers, is assured by a quasi-judiciary system which gives the opportunity to the teacher to be informed of the accusations and to be able to defend himself before an impartial judge. Security, which should be given to teachers having finished an initial probation period, is assured by a policy of improvement and retraining which allows the reassignment of the teacher inside the university, or outside, provided there are some agreements. Tenure, which should be given to all associate professors, is a privilege covering academic freedom.

The Committee did look into all monetary conditions. First, it made an overview of fringe benefits. Second, it analyzed special stipends related to supplementary workload, or to supplementary responsibility. In order to do so, the Committee extended on the concept of normal workload, and on the managing of administrative tasks. And third, the Committee studied the basic salary policy, with all its factors of differentiation: experience, qualifications, rank, profession, personal prestige, merit, sex. G.F.

* I am grateful for the help of Professor Helen Gougeon, Department of Educational Psychology and Sociology, McGill University, who attended the Conference, prepared a set of very helpful notes on it for a Faculty workshop, and read a draft of this article. I, of course, accept full responsibility for any shortcomings of this review.

Teaching: keeping jobs by doing them

Basic Study Manual: Compiled from the Works of L. Ron Hubbard. Los Angeles: Applied Scholastics, 1972. Pp. 128. \$6.00.

Since what I am going to be talking about here is information which has proven extremely useful to my continued survival as a teacher, it seems worth noting that during a recent annual review of the last half dozen CAUT *Bulletins* I observed, really for the first time, that I belong to an association of university teachers (pace my francophone colleagues in the association "des professeurs"). The choice of this particular professional designation is interesting in the light of that perennial controversy as to whether an academic professes or teaches his subject. Presumably, there will be jobs for professors so long as their subjects exist and maintain validity in the surrounding culture (though there may still be individuals who "profess" alchemy, none that I know of are on university payrolls); jobs for teachers, on the other hand, depend not only on the existence of a subject to be taught but also upon the availability of students willing to learn it.

Among those of us who consider both of these activities a part of our professional responsibility, there is a strong consensus that our pre-professional training lacks balance. Graduate work certainly gave me an adequate start in the direction of professing English literature; in the area of teaching, however, my training was limited to strong advice that it would be foolhardy to let any duties as a teaching assistant get in the way of course or thesis work.

When I took a job six years ago, there were students in abundance and one could afford to learn about teaching through trial and error. Today, when the enrollment situation is much more critical — in entire faculties as well as in individual courses, and in the humanities and sciences alike — one cannot afford such a leisurely (and perhaps irresponsible) attitude, the demand for effective teaching is considerable more urgent.

God knows the answer is not courses in classroom presence and instructional methodology. High schools, where teachers are trained in these areas, are experiencing the same difficulties as the universities, modified only by the fact that attendance is compulsory to age sixteen.

What then is behind the syndrome of loss of student interest followed, soon or late, by loss of students? We are all familiar with the usual range of explanations: socio-economic pressures, lack of curricular "relevancy," inadequate preparation in elementary and high schools, alienation, apathy, drugs, etc., etc. No doubt there is some truth in all of these. The *Basic Study Manual*, however, says simply that "the only reason a person gives up a study or becomes confused or unable to learn is that he or she has gone past a word or symbol that was not understood." Although this sounds almost simple-minded alongside the usual explanations for student disinterest and drop-out, it does have the advantage of pointing to a cause that one can hope to do something about.

According to Hubbard's theory, certain definite and easily recognizable reactions occur when a student continues studying past a word or symbol (as in mathematics) which has not been fully comprehended. The first symptom is a memory blank obscuring the material being studied just after the misunderstood word. If the student stops, locates the misunderstood word, and gets it defined in a proper dictionary or technical glossary, this symptom will vanish. If, however, he attempts to persist through or around the memory blank in spite of the undefined term, then he may begin to yawn and feel tired. Continued persistence increases the likelihood of accumulating still more misunderstood words or symbols and results eventually in an upset of some sort — with the subject, the teacher, the school, the "system," or whatever. Ultimately, such a student will abandon the subject

of study altogether; or, where this is impossible, he will resign himself to the situation and fake comprehension, producing a condition of "glibness" in which the student can parrot back answers and write exams but does not really understand the materials and is totally incapable of applying them.

A key point here is that the difficulty is almost never what the student thinks it is, and it is never a misunderstood *idea*. It is always a word (or symbol). If the student is particularly confused, there are probably several of these. An instructor can explain the idea of reciprocal trade agreements, or the pathetic fallacy, or binomial equations very patiently and clearly, and the student will still be confused. If, on the other hand, he locates the misunderstood word (or words), indicates that as the source of difficulty, and gets it defined, then the noncomprehension will be found to have magically vanished.

The test of any theory is in its workability. Early this past year I had two students who were having difficulty with Elizabethan drama; one was on the verge of switching to another course. In each case I had the student re-read the first scene of a play, taken early in the course (*Hamlet* and *The Alchemist*), looking up in a good dictionary or glossary every word whose meaning she felt the slightest doubt about. I then spot checked them on words from the passage assigned, found that they now understood and felt good about it, and simply let them get on with their work. Both students completed their courses, one of them with a well-earned A.

The *Basic Study Manual* is designed by its editors as the text for a how-to-study course, aimed at re-educating students out of ingrained but ineffective study habits. It covers, therefore, other problems besides the terminological one. Emphasis is given to the importance of a proper *gradient* of study, which neither slows a student down nor rushes him past an area of the subject he has not yet mastered. Obviously one of our difficulties is having to take a whole class of students through a body of material at roughly the same pace. Perhaps the idea of "modular courses," such as have apparently been tried out with considerable success at McGill in recent years, is the answer to this problem.

EVALUATION... from p. 15

the causes and effects here. The reason for the bulk of research on teaching evaluation having been done on student ratings is not that they are the ultimate solution. They are a part of the evaluation solution, certainly, but only a part. The important point is that very little besides student ratings is done anywhere, so what else is there to include in formal research? The irony is that it proved impossible for most contributors to stay within the limits. The best parts of the report go far beyond.

The *Proceedings* do fill an important need. The readily accessible, non-technical literature on

Another fundamental point made by the *Manual* is that studying the *significances* (ideas, relations, meanings) of a subject in the absence of the *mass* (actual physical things) to which it refers can be very hard on a student. Many university subjects are notorious for their tendency toward theory and abstraction. This book makes a number of suggestions for redressing that imbalance. Pictures, diagrams, and the like can be more helpful than many of us are inclined to think. In my own drama courses I often find it useful to work out the relative position and movement of characters by shifting coffee cups or ashtrays around on a "stage" (i.e., a table or desk).

Doubtless a how-to-study course of the sort outlined in the *Basic Study Manual* would not be a bad idea for many of our students. In the absence of such a course, however, I myself have found the *Manual* a superior substitute for pedagogical training and an invaluable complement to inventiveness and expertise in the classroom. In particular, the technique of locating and clearing up misunderstood words is the only consistently workable method I know of for rekindling student interest and reducing the gradual, month-by-month attrition of course enrollments which I had once considered an inevitable fact of university life.

A survey which I conducted recently of specialized honours students in English revealed that what more than half of the respondents liked least about their course of studies was the quality of teaching. This was curious, because what many of these same students liked most was their professors. The general impression I got from reading over these surveys was that, while the majority of students were fairly well satisfied with things, they also felt that they could be learning more. This accords with my own opinion that as professors we do well enough, but that there is room for improvement in our role as teachers. The *Basic Study Manual*, with its emphasis on getting the terminology of the subject (and of the English language itself) clearly defined, has helped me improve my performance in this latter area. I think it might do the same for others.

Bruce Flattery

teaching evaluation is small. None of it is comprehensive. These papers are high-level in content yet easy to read. They are remarkably free of minor editorial blunders, and do constitute an excellent "primer" in the area. They also reflect quite well what actually occurred at the Conference.

Bruce M. Shore

NOTE:

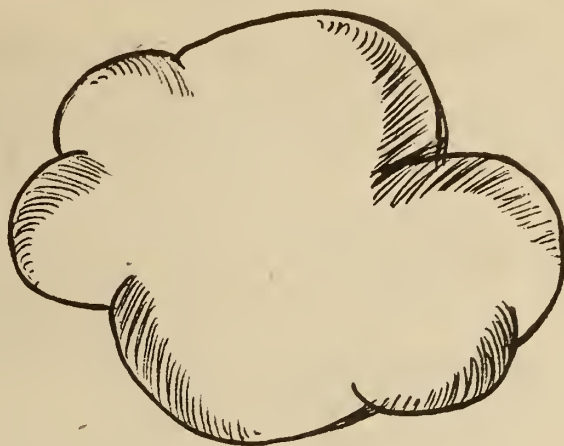
CAUT and members of McGill University's Centre for Learning and Development are cooperating in the writing and editing of a comprehensive book on the evaluation of instruction in higher education. Publication is expected late in 1974.

ABOUT OUR REVIEWERS... Georges Frappier is on the CAUT staff in Ottawa... Donald C. Savage is the Executive Secretary of the CAUT... Professor Bruce M. Shore is Chairman of the CAUT Teaching Effectiveness Subcommittee and is Associate Professor of Education at McGill University... James B. Hartman is a Philosopher at

Scarborough College... Professor Bruce Flattery teaches English at York University... Professeur Louis Gill est membre du Syndicat des Professeurs de l'Université du Québec à Montréal (SPUQ — CSN)... and Joseph Rose is Assistant Professor of Business Administration at the University of New Brunswick in Fredericton.

Biggles¹ Flies Undone

(A CBC Production)



Disc: *Spirited music (inevitably Telemann) a few bars and fading to: (studio)*

Announcer: Aujourd'hui,² scholars and gentle persons, this is Cider McPommez³ greeting you from Ottawa. Today the CBC⁴ takes a hard-look-at-the thrillingly challenging question of Collective Bargaining and the felt need at-this-time to get committed university faculties certified. Previously we have heard stirring news from the West, but now there comes to us intelligence of a new insurrection in the Maritime Provinces, otherwise known as Halifax. We recently visited [with] an uncertain Professor who is allegedly working there without either a Ph.D. or Canadian Citizenship. He is also, lamentably, an Anglophone. What he has to say should be shaken vigorously and taken with a dose of salts—Over to Doulton Gnash.⁵

Gnash: [*Clad in academic attire: jeans, sweatshirt and sneakers, stands before ivy-clad walls of ecclesiastical Gothic*].

Behind the imposing and serene walls of this edifice of learning, which was built as long ago as 1954, the faculty are up in arms or down in the mouth as the case may be in the trows *sic* of Negotiation, Casualties have been light—each side claiming victory. I spoke here to Prof. Carruthers, who spells his name differently, who is a former President of the Faculty Association,⁶ a Shill⁷ and trouble shooter [maker] and who recently returned from a CBC meeting in Ottawa. He is an English teacher and Bored member. He also spells badly and speaks with a pained expression and unfamiliar accent:

Carr: I have been victimised

Gnash: You have? Who by?

Carr: By whom?

¹ A great Hero, allegedly created by Capt. W.E. Johns, has flown fighting missions North, South, East and West. In fact he is a Biochemist at Memorial (N.F.L.) and a collective bargain at twice his pension.

² Hello

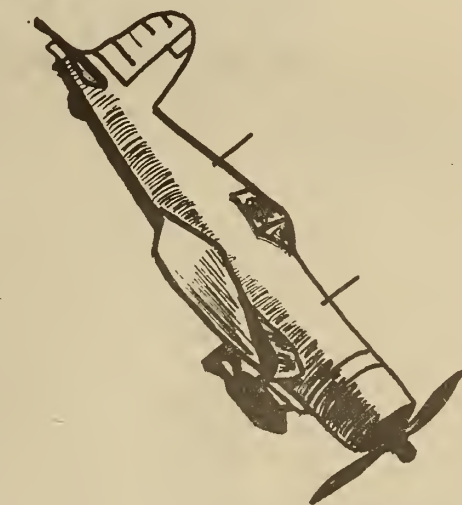
³ French Chic, secretary to Biggles' Collective Bargaining Committee

⁴ Collective Bargaining Committee (Chairman, Biggles)

⁵ A China clipper

⁶ A masochist

⁷ See 'The Sting'



Gnash: Alright, by whom?

Carr: By the C.B.C.

Gnash: Which one?

Carr: Both as it happens, but I refer in this instance to the CBC of the CAUT.

Gnash: I.C.

Carr: I doubt it, for I didn't know what had happened until I thought about it.

Gnash: Tell us what happened

Carr: No, I'm shy

Gnash: Oh, come on.

Carr: Well alright then. Firstly I was invited as a guest to the CBC committee meeting. Secondly I was lulled into inattention by a liturgical rendering

of the minutes of previous meetings. Thirdly, having been surprised into a short nap, I was handed an assignment.

Gnash: And what is that?

Carr: A sort of essay—we used to give them to our students before Sociology became the rage.

Gnash: And this Assignment or Essay, what is the title?

Carr: It is indelibly printed on my memory. Let me read it to you. [*He rustles a large piece of paper from his pocket*] It says - er Y.C.A.U.T.⁸ I do not understand it.

Gnash:⁹ [*with a threatening smile*] Neither do I. But tell us Professor Crowdis—why do you feel victimised?

Carr: Because I feel that the procedure for handing out the Assignment was not fair and equitable, just or proper. It kind of snuck up onto me.¹⁰

Gnash: You mean.....?

Carr: I mean it may be grievable

Gnash: Do you think it might go to Arbitration?

Carr: Quite possibly. It's a clear example of the forced no-choice finesse and you have to keep an eye open for it not to work.¹¹ I didn't and so I have to.¹²

Gnash: Thank you, Professor Crutters for revealing yourself in such a manly way...

Carr: Just a moment,... I ...

Gnash: We pause now to listen to these comfortable words.

Biz: [*Two paws extract Gnash from the scene, Carrothers fades—he is excluded. A cartoon wolf appears in close-up and licks his lips*].

Cross fade: *Scene: World War II fighter planes in conflict*

Sound: 1) *Planes diving and firing*

2) *Disc: Beethoven's Battle Symphony.*

⁸ ?

⁹ Member of a Union most powerful in the CBC. The CBC

¹⁰ An interesting Regional expression.

¹¹ How many types of ambiguity are present in this sentence

D. Savage*, wearing pilot's helmet and goggles (raised) delivers in close-up the following message:

Ginger+: "Chaps! If you want to publish without perishing, if you want to survive the slings and arrows of outrageous¹³ colleagues and e'en the Dean that flyeth by night. Draw night unto CAUT and take this Handbook¹⁴ to thy comfort.

Biz: Disc fade

So shall Academic Freedom whiten thy words in Public and Tenure shall render thy laundry like unto the driven snow. [fade]

Sound: Organ:—A loud Amen.

Announcer: To unfold our tale we beg, for the nonce, to discard that crystalline and urbane precision of statement so characteristic of CAUT and Statistics Canada and to warn with pregnant verse—

Carr: How that the Big Bad Wolf (LUPE)¹⁵ did approach unto the portals of Academe with these stern imperatives:

Pix: Disney Wolf

Voice: "Open the door and let me in or, (by the hairs of Ho Chi Minh)¹⁶ I'll huff and I'll puff and I'll blow your house down."¹⁷

Biz: Cut to:—

Carr: Some, within the ivory towers heeded him not, some forsooth, said they were prepared to consider BOTH¹⁸ sides of the argument—given reasonable notice, while others, wrapping their wretchedness in a riding hood stole redly to his bed, praising him and saying:

Pix: Disney Wolf abed dressed as old Lady

Chorus: Oh Granny! what big Ears¹⁹ you've got
(The better to hear you with my dear)²⁰
Oh Granny! what big Eyes²¹ you've got
(The better to see you with my dear)²²
Oh CUPE (oops!) Granny! what big Teeth²³
you've got
(The better to.....)²⁴ [X fade]

Sound: Trumpet—a flourish without

Carr: But anon! There rode into the field amain Sir Biggles and his flying Circus, bearing the banner of the good Saint Cautious²⁵ and with him Archie²⁶ Duke of A.F.&T. and also one of the Blest Paire of Sirens²⁷ and all the host of Standing Committees.²⁸

Sound: Armed conflict

Carr (cont): And they rose up and smote that LUPE right sorely. With many smarts they wrought upon his constitution so that he was grievously stricken, nigh unto Death. Whereat this LUPE spread forth his dragon's wings²⁹ and sped him away.

Biggles: It was a close call. But sheath that savage sword.

Ginger: Nay let it sleep in my hand, for I know not but some other enemy may be at hand.³⁰

Archie: He fled before us.

Biggles: Don't worry, it wasn't our turn.

Music: Theme tune of Monty Python's Flying Circus.

Announcer: That was the first in a series of CBC productions entitled YCAUT. If it is not libelous it is probably grievable and certainly incomprehensible. It does not answer the question. Next week, however, we bring you the Invasion of Fredericton, or the first act of Faust.³¹ But now this is Cider McPomme speaking to you in French and saying:—Aujourd'hui.³²

¹² Or in this one. Do not attempt 11 and 12 simultaneously

¹³ Hamlet: A Shakespearean dish made with ham and eggs.

* Executive Secretary, CAUT

+ See Savage

¹⁴ A CAUT publication, price \$5.00 (N.B.)

¹⁵ Italian Wolf given to Organization or, Labour Union of Professional Employees.

¹⁶ Oriental Santa

¹⁷ Force de Frappe

¹⁸ Obscure, Perhaps CAUT vs LUPE?

¹⁹ Research and Intelligence (-more of the former)

²⁰ Especially from afar

²¹ Vigilance in the Public Interest

²² So that you don't get out of line

²³ For putting the bite on Provincial Monies

²⁴ ?

²⁵ ACPU (66 Lisgar St. Ottawa Telephone 613.....)

²⁶ Malloch and friend of Biggles

²⁷ Paul, Exec. Sec. ACTRA, friend of Ginger (007)

²⁸ Legion

²⁹ Dragon's wings?

³⁰ Fid. Def.

³¹ Fac. Assoc. University of St. Thomas

³² Good bye.

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VACANCIES

POSTES VACANTS

ADMINISTRATION

ACADIA UNIVERSITY. Department of Chemistry. Applications are invited for the Headship of the Department of Chemistry. Preference will be given to applicants holding a Ph. D. with experience in teaching, research, and administration. Duties will include the administration of the department, with some teaching and research. Salary in keeping with qualifications and experience. Applicants should apply to Dr. E. C. Smith, Vice-President-Academic, Acadia University, Wolfville, N.S. B0P 1X0.

BISHOP'S UNIVERSITY. Dean of the Faculty. Applications are invited for the position of Dean of the Faculty. Appropriate qualifications in Arts or in Science. Salary according to credentials and experience. Address applications to The Chairman, Committee of Selection, c/o Office of the Principal, Bishop's University, Lennoxville, Quebec. Appointment from July 1, 1975. Closing date for receipt of applications: December 9, 1974.

UNIVERSITY OF GUELPH. Department of Mathematics and Statistics. Applications are invited for the position of Chairman of the Department. Candidates should have an established research record in mathematics or statistics and university experience. Duties include administrative responsibility for the Department, and participation in and encouragement of teaching and research programs. Salary negotiable. Enquiries or applications with a full curriculum vitae and the names of three referees to Dean E. B. MacNaughton, College of Physical

Science, University of Guelph, Guelph, Ontario, Canada N1G 2W1, by November 15, 1974.

UNIVERSITY OF REGINA. Faculty of Science. Applications are invited for the position of Dean of Science to administer and provide leadership to the newly-established Faculty of Science. This is a senior administrative post and applicants should have an established reputation in research and scholarly work and successful administrative experience. The salary is open to negotiation. The new faculty offers 3-years and 4-years (Honours) undergraduate programs in Biology, Chemistry, Computer Science, Geological Science, Mathematics and Physics and Astronomy. In addition, five departments offer M. Sc. programs and four offer Ph.D. programs. Applications will be received in confidence by the search committee until November 1, 1974. Please contact Mr. D. T. Lowery, University Secretary, University of Regina, Regina, Saskatchewan, S4S 0A2.

APPLIED MATHEMATICS

UNIVERSITY OF WATERLOO. Department of Applied Mathematics. Applications are invited from candidates qualified for a position at the Assistant or Associate Professor level with research interests in the area of Partial Differential Equations. Candidates will be expected to have at least three years post Ph.D. experience and a background in applied mathematics. The lecturing load is not heavy but considerable emphasis will be placed on teaching ability. Present minimum salary for Assistant Professors is \$13,100 and for Associate Professors is \$17,000. Closing date for applications

November 30, 1974. Starting date to be arranged but not later than July 1, 1975. Send curriculum vitae, details of research and teaching experience and names of three referees to Dr. D. G. Wertheim, Chairman, Department of Applied Mathematics, University of Waterloo, Waterloo, Ontario, Canada N2L 3G1.

BIOMEDICAL SCIENCES

UNIVERSITY OF GUELPH. Department of Biomedical Sciences. Applications are invited for a position as Assistant or Associate Professor in Biomedical Sciences with emphasis in veterinary anatomy. Post includes teaching aspects of animal anatomy in lectures and laboratory exercises to students in Veterinary Medicine, Biological Science and Animal Science at the undergraduate and graduate levels. The position requires an advanced degree in anatomy and preferably teaching experience. Candidates with professional qualifications in Veterinary Medicine are invited to apply. A research interest in dynamic or functional anatomy as it applies to animal disease is desired. Applicants should submit a curriculum vitae and the names of three references as soon as possible to: Dr. G. Downie, Professor and Chairman, Department of Biomedical Sciences, Ontario Veterinary College, University of Guelph, Guelph, Ontario, Canada, N1G 2W1

BUSINESS ADMINISTRATION

UNIVERSITY OF NEW BRUNSWICK. Department of Business Administration. Applications are invited for undergraduate teaching positions as follows: accounting, finance management,

marketing, policy, quantitative methods. Qualifications required are Ph.D., Ph.D. candidate or equivalent. Duties include undergraduate teaching and research. The rank and salary are based on the candidates qualifications and experience. Appointments effective July 1, 1975. Chairman, Department of Business Administration, University of New Brunswick, Fredericton, N.B. E3B 5A3.

CHILD GUIDANCE

UNIVERSITY OF SASKATCHEWAN. Institute of Child Guidance and Development. Applications are invited for a position as Lecturer or Assistant Professor. Preference will be given to a candidate who holds a Ph.D. or equivalent, who has competencies in at least one of the following areas: Early Childhood Education; Psycho-educational diagnosis; Prescriptive teaching; Emotional disturbance; Speech pathology; Education of Exceptional Children in regular class. Salaries (1974-75): Lecturer—\$10,149 to \$12,489. Assistant Professor—\$12,924 to \$16,800. Send curriculum vitae to Dr. John McLeod, Director, Institute of Child Guidance and Development, University of Saskatchewan, Saskatoon, Canada, S7N 0W0.

UNIVERSITY OF SASKATCHEWAN. Fellowships. Institute of Child Guidance and Development. July 1975. For Ph.D. or M.Ed. Preferably with research interests in delivery of special educational services in rural areas. \$3500 plus \$1000 summer supplement. Apply to Dr. John McLeod, Director, Institute of Child Guidance and Development, University of Saskatchewan, Saskatoon, Saskatchewan, S7N 0W0.

CIVIL ENGINEERING

UNIVERSITY OF ALBERTA. Department of Civil Engineering. Applications are invited to fill a vacancy in the general area of hydraulics and water resources. The successful applicant will be expected to work at both the undergraduate and graduate levels in his area of specialization and to assist at the undergraduate level in other areas of civil engineering. A Ph.D. and some engineering experience are desirable. Salary and rank will depend upon qualifications. Appointment date: January 1, 1975. Applications, including curriculum vitae, transcripts, details of experience, and names of referees, should be submitted to—Chairman, Department of Civil Engineering, The University of Alberta, Edmonton, Alberta, Canada T6G 2G7.

CROP SCIENCE

UNIVERSITY OF GUELPH. Department of Crop Science. Applications are invited for assistant or associate professor (plant breeding). Qualifications: Must have a Ph.D. or equivalent. Responsibilities: Graduate and undergraduate teaching; research in forage crop breeding methodology. Salary: the minimum for an Assistant Professor—\$13,500.00. Applications should be directed to Dr. E. E. Gamble, Chairman, Department of Crop Science, University of Guelph, Guelph, Ontario, N1G 2W1. The position is available for October 1, 1974 and applications will be accepted until the position is filled.

ECONOMICS

UNIVERSITY OF ALBERTA. Department of Economics. Applications are invited for two positions commencing July 1, 1975, or January 1, 1975 if desired. Those specializing in one or more of energy economics, regional economics, urban economics, resource economics, public finance, industrial organization, or economic theory are invited to apply. Applicants should be prepared to teach at either the graduate or undergraduate levels. Rank and salary negotiable, but Ph.D. required. Applications addressed to: Dr. Bruce Wilkinson, Chairman, Department of Economics, University of Alberta, Edmonton, Alberta, T6G 2H4

ENVIRONMENTAL BIOLOGY

UNIVERSITY OF GUELPH. Department of Environmental Biology. Applications are invited for a position in forestry. The position will have the following responsibilities. Teaching: To

offer a course in Forestry and Conservation to students in the Diploma in Agriculture Program. To offer to degree students a course in Forestry with emphasis on multiple use and the role of the forest as a natural resource. Research: To develop a research program in forestry or a related area. Interest in forest protection desirable. Qualifications: Graduation from a recognized College of Forestry and advanced study to the Ph.D. Accredited as a Professional Forester. Appointment will be at the Assistant or Associate Professor level. Closing date for application October 15, 1974. Position to be filled by January 1, 1975. Apply: Professor F. L. McEwen, Chairman, Department of Environmental Biology, University of Guelph, Ontario N1G 2W1.

GEOGRAPHY

UNIVERSITY OF WINDSOR. Department of Geography. Applications are invited for temporary, visiting appointment during academic year 1974-75. Position suitable for recent Ph.D. or one nearing completion of degree—or senior scholar on leave wishing to supplement salary. Duties in statistical geography area. Approximate remuneration \$4000. Length of appointment and terms negotiable. Apply by September 30, 1974 to Dr. F. C. Innes, Chairman, Department of Geography, University of Windsor, Windsor, Ontario N9B 3P4.

HEALTH SCIENCE

CENTENNIAL COLLEGE OF APPLIED, ARTS AND TECHNOLOGY. Health Sciences Division. Applications are invited for the position of Chairman responsible to the Dean of Health Sciences Division for the effective operation and growth of programs and courses in nursing education at the Scarborough Regional Campus. Applicant must be a Registered Nurse, possess an undergraduate degree and have a minimum of five years of successful professional experience. Preferably a minimum of two years administrative responsibility in Education and/or Service. Salary commensurate with qualifications. Apply to: Executive Vice-President, Academic c/o Personnel Services, 651 Warden Avenue, Scarborough, Ontario. Applications considered until September 15th, 1974.

MUSIC

UNIVERSITY OF ALBERTA. Associate Professorship in Piano. Applications are invited for an Associate Professorship in Piano. Duties will include the teaching of piano at undergraduate and graduate levels, some possible supervision of graduate research and some teaching in related areas (literature and pedagogy, history and theory). Doctorate in performance or equivalent is required, together with considerable teaching and performing experience. Salary floor, \$17,661 (1974-75). Appointment is to be effective July 1st, 1975. Applications will be received until position is filled by Dr. R. A. Strangeland, Chairman, Department of Music, University of Alberta, Edmonton, Alberta.

PHARMACOLOGY

UNIVERSITY OF BRITISH COLUMBIA. Department of Pharmacology Two assistant or associate professors to be appointed by July 1st 1975; (a) one pharmacologist, Ph.D. or and/or MD; (b) one clinical pharmacologist, MD and Ph.D. or equivalent plus speciality qualifications. Salary to be negotiated. Duties include teaching and research. Applications including curriculum vitae and the names of three referees to be sent to Dr. M. C. Sutter, Head, Department of Pharmacology, University of British Columbia, Vancouver, B.C., Canada, V6T 1W5, by December 1, 1974. An Equal Opportunity Employer, M/F.

THE BOARD OF GOVERNORS OF THE UNIVERSITY OF SASKATCHEWAN



invites nominations and applications for the position of

PRESIDENT

The appointment, which will be effective no later than July 1, 1975, is for an initial term renewable by mutual agreement.

The President has general responsibility for the operations of the University including its academic programs and financial affairs, and has such other powers and duties as are assigned to him under the new University Act by the Board. Salary and other benefits are negotiable.

The University of Saskatchewan is a publicly funded institution established in 1907. Full-time student enrolment in the 1973-74 academic term was 9,306. It offers a full range of curricula both academic and professional.

Applications should be accompanied by a detailed curriculum vitae and the names of several referees. Letters of nomination should include biographical details of the nominee. Applications, nominations and enquiries should be directed to:

Mr. D. E. Gauley, Q.C., Chairman
Board of Governors
University of Saskatchewan
P.O. Box 638
Saskatoon, Sask.

Lakehead University

LAKEHEAD UNIVERSITY
THUNDER BAY, ONTARIO, CANADA

Nutrition and Food Science

Applications invited for position, rank open, in Nutrition and Food Science; PhD or equivalent, with concentration in community nutrition preferred—to teach undergraduate courses, conduct research and assist in curriculum development.

Salary commensurate with experience and rank. 1974 floors: Professor \$21,630; Associate Professor \$17,235; Assistant Professor \$13,865.

Send curriculum vitae and names of three referees to:

Mr. Donald E. Ayre
Secretary of the University
Lakehead University
THUNDER BAY, Ontario
P7B 5E1

THE UNIVERSITY OF CALGARY

DEAN, FACULTY OF ENGINEERING

Applications are invited for the position of Dean, Faculty of Engineering, The University of Calgary, Calgary, Alberta

The Faculty of Engineering is an established unit within The University of Calgary. The Engineering Faculty administers regular four year programs leading to the B.Sc. degree in Chemical, Civil, Electrical and Mechanical Engineering. In addition, graduate work leading to the M.Sc., M.Eng. and Ph.D. degrees are offered by the Faculty of Engineering under the administration of the Faculty of Graduate Studies. At the present time, there are sixty-three full-time faculty members, 631 undergraduate students and ninety graduate students in the program.

Candidates for this position should have a doctorate in Engineering and have a distinguished academic record with proven experience in university teaching research and administration. Salary is negotiable.

Applications, including a resume, should be sent to the President's Office, The University of Calgary, 2920 24th Avenue NW, CALGARY, Alberta, T2N 1N4.



PSYCHOLOGY

UNIVERSITY OF GUELPH. Department of Psychology. One appointment at the rank of Assistant Professor available January, 1975. Candidates should have special interests in cognitive processes/information processing. Ph.D. necessary, some teaching experience preferred. Salary floor \$13,500. Vita, names of three references, copies of recent publications, if any, should be sent to: Dr. E. C. Dalrymple-Alford, Appointments Officer, Department of Psychology, University of Guelph, Guelph, Ontario, N1G 2W1.

PHYSICAL EDUCATION

UNIVERSITY OF NEW BRUNSWICK. Division of Physical Education. Applications are invited for the position of Chairman of the Division of Physical Education. Candidates should have a strong interest in the development of teacher education, including outdoor education and recreation. Main responsibility is in continuing the development and administration of an innovative Physical Education program. The position will involve teaching responsibilities. This is a senior appointment (professorial base \$20,700) which will be made as soon as possible after September 1, 1974. For further inquiries, please contact D. A. MacIver, Dean of Education, University of New Brunswick, Fredericton, N.B. Canada.

ELECTRICAL ENGINEERING

UNIVERSITY OF TORONTO. Department of Electrical Engineering. Applications are invited for position of Assistant or Associate Professor. Required by July 1975 or preferably earlier. The position will involve undergraduate teaching in the area of electronic circuits, graduate teaching and supervision of graduate work and research in the general area of electronic circuits with particular emphasis on one or more of: computer-aided design, instrumentation, communication circuits, high-frequency circuits, digital filters, integrated circuits. Applicants should hold a doctorate in an appropriate area. Industrial experience will be considered an asset. The salary level is commensurate with qualifications. Applications with curriculum vitae should be addressed to: Professor G. R. Slemon, Chairman, Department of Electrical Engineering, University of Toronto, Toronto, Ontario, M5S 1A4.

UNIVERSITY OF TORONTO. Department of Electrical Engineering. Applications are invited for the position of Assistant or Associate Professor required not later than July 1, 1975 with an early appointment in January 1975 or the Fall of 1974 being a possibility. The position will involve undergraduate and graduate teaching, and research. Supervision of graduate work and research will be mainly in the area of control or systems engineering with emphasis on the interface of this specialty area with other specialists within the Department, the faculty and the University. An emphasis on identification and estimation techniques is desirable. A preference will be given to candidates with doctorate degrees who have had engineering experience. Applications with curriculum vitae should be addressed to: Professor G. R. Slemon, Chairman, Department of Electrical Engineering, University of Toronto, Ontario, M5S 1A4.

LATE ADS

ADMINISTRATION

UNIVERSITY OF NEW BRUNSWICK. Department of Anthropology. Applications are invited for the position of Chairman for a five member Department of Anthropology, now established as a separate department. Candidates should possess a doctorate or its equivalent in any appropriate field. Strong interest in research and teaching essential; prior administrative experience desirable. Application deadline December 1, 1974 or until suitable candidate appointed. Appointment effective July 1, 1975. Rank and salary dependent upon qualifications. Write to Dr. T. J. Condon, Dean of Arts, Tilley Hall, University of New Brunswick, Fredericton, N.B.

EDUCATION

UNIVERSITY OF SASKATCHEWAN. Faculty of Education. Applications are invited for the position of Assistant or Associate Professor in the field of philosophy of education. Qualifications required: Doctorate in philosophy of philosophy of education; sociology or sociology of education at the Master's level desirable. Duties include teaching undergraduate and graduate classes and research. Salary and rank negotiable according to qualifications and experience. Applications should be addressed to Dean W. N. Toombs, Faculty of Education,

University of Saskatchewan Regina Campus, Regina, Saskatchewan, S4S 0A2. Effective date of appointment: July, 1975 and closing date for receipt of applications: December 31, 1974.

ELEMENTARY EDUCATION

UNIVERSITY OF ALBERTA. Department of Elementary Education. The Department expects to have a position in the field of Early Childhood Education beginning in the academic year 1975-76. This is a possible position depending on University budgetary decisions. The successful applicant would be appointed

effective July 1, 1975. Ph.D. required. Successful experience in schools required. The position entails undergraduate and or graduate teaching, supervision of student teaching, etc. The salary range in 1974-75 is: Assistant Professor \$13,440—\$17,611; Associate Professor \$17,661—\$23,416. For 1975-76, the salary scale is under negotiation. Applications, curriculum vitae and the names of at least three references should be sent to Dr. A. MacKay, Chairman, Department of Elementary Education, Faculty of Education, University of Alberta, Edmonton, Alberta. Applications will be received until the position is filled.

CARLETON UNIVERSITY



DEAN OF ENGINEERING

Applications are invited for the position of Dean of the Faculty of Engineering, comprised of the departments of: Civil Engineering, Mechanical and Aeronautical Engineering, Systems Engineering and Electronics and Materials Engineering.

The successful candidate is expected to provide leadership in an established faculty of approximately 620 undergraduate students, 180 graduate students and a teaching staff of 50.

In addition, Schools of Architecture and of Industrial Design report to the Dean of Engineering.

Duties will commence on July 1, 1975 and salary will be negotiated.

The deadline for submission of applications is October 15, 1974.

Inquires, curriculum vitae, or references should be directed to:

DEAN OF ENGINEERING SELECTION COMMITTEE
Room 607, Administration Building
Carleton University
Ottawa, Ontario
K1S 5B6

UNIVERSITY OF WATERLOO



DEAN

FACULTY OF ENVIRONMENTAL STUDIES

The Faculty of Environmental Studies includes the Department of Geography; the Department of Man-Environment Studies, the School of Architecture and the School of Urban and Regional Planning. The Dean of the Faculty is expected to provide academic and administrative leadership within the Faculty as well as contribute to the overall effectiveness of the University as one of the senior officers of the Institution.

Candidates will be considered who have a high level of academic and/or professional achievement, proven administrative competence and related experience in Canada. The appointment will be as a faculty member in the relevant discipline with rank, salary and other conditions appropriate to that position; and to the Deanship, with an additional annual stipend, for a term of five years, renewable for a second three-year term. The effective date of the appointment will be 1 July 1975. Closing date is 15 November 1974. Enquiries are invited. Please address all correspondence to:

Chairman, Nominating Committee
for Dean of Environmental Studies,
Office of the Vice-President, Academic,
University of Waterloo,
200 University Avenue West,
WATERLOO, Ontario, Canada.
N2L 3G1

THE UNIVERSITY OF CALGARY

CALGARY

COMPUTER SYSTEMS DESIGNER/PROGRAMMER

The Faculty of Environmental Design invites applications for the position of computer systems designer/programmer. Duties will include development of graphics systems, primarily, but not exclusively, for architectural applications, as well as working with the Faculty computer applications group to develop programmes for research and teaching and teaching purposes. A background in systems design and development (normally including assembler language experience) is essential and computer graphics experience is desirable.

The Faculty offers the Master of Environmental Design, with graduate study options in Architecture, Environmental Science and Urbanism. The Faculty is interdisciplinary in its composition and academic and research purposes. It is currently staffed with a broad, representative complement of scientists, designers, social philosophers and members of the legal, architectural and planning professions.

Salary will be from \$12,500 to \$15,000 depending on qualifications.

This appointment will be made in 1974.

Apply in writing, including c.v. and expression of interests, to:

Dean W. T. Perks
Faculty of Environmental Design
The University of Calgary
Calgary, Alberta, Canada
T2N 1N4



L'ACPU, Pourquoi?

Pour protéger les droits de l'individu au sein de l'université.

Depuis vingt ans, l'ACPU s'est occupée chaque année de nombreuses plaintes de professeurs relatives à leur contrat, à l'avancement, à la permanence ou au renvoi. L'ACPU s'active également auprès de chacune des universités pour obtenir la mise en place de procédures valables et s'assurer qu'elles sont appliquées. L'ACPU et ses filiales locales ont réussi dans une grande mesure à remplacer le caprice individuel par des règles constitutionnelles pour la rédaction des contrats universitaires.

Pour protéger les droits de l'individu vis-à-vis des gouvernements.

L'ACPU est intervenue pour protéger les droits de ses membres à l'occasion de conflits avec le ministère de l'Immigration, le service de sécurité de la GRC, les départements employant des professeurs détachés, et ainsi de suite. L'ACPU s'est activement préoccupée du respect de la vie privée.

Pour représenter ses membres à tous les niveaux de gouvernement.

En 1973-1974, l'ACPU a eu l'occasion de:

- intervenir auprès des gouvernements fédéral et provinciaux pour les mettre en garde contre des projets de restructuration des organismes fédéraux de subventionnement (CNR, CRM et le Conseil des Arts) qui risqueraient de miner le potentiel de recherche des universités canadiennes.
- préparer un mémoire devant servir à intervenir auprès des gouvernements fédéral et provinciaux avant la renégociation des ententes fédérales de transferts fiscaux en vertu desquelles le gouvernement fédéral assume 50 p. 100 des frais d'exploitation des universités.
- appuyer l'intervention de CUFABC auprès du gouvernement de la Colombie-Britannique au sujet de la création d'une commission de subventionnement.
- intervenir aux côtés de MOFA auprès du gouvernement du Manitoba au sujet des suites à donner au rapport Oliver sur l'éducation post-secondaire.
- unir ses protestations à celles de l'UAPUO contre certains articles du projet de loi ontarien sur les commissions de subventionnement et faire des propositions au Ministère des collèges et universités au sujet des *ombudsmen* en matière d'éducation.
- protester auprès du gouvernement du Québec contre ses méthodes de classification.

Pour aider les associations locales qui demandent le statut d'agent négociateur.

L'ACPU préconise la négociation collective comme moyen d'atteindre les buts de l'ASSOCIATION et déploie depuis deux ans des efforts vigoureux pour obtenir de bons résultats dans ce domaine. Elle s'est associée étroitement au travail des associations qui ont demandé la reconnaissance syndicale en mettant à leur

disposition du personnel compétent et des ressources financières. Elle veut adapter la négociation collective aux circonstances particulières de chaque université et a réussi à écarter l'ingérence des syndicats traditionnels.

Pour assurer l'égalité des droits des professeurs féminins.

Grâce à l'action de son Comité du statut de la femme professeur, l'ACPU a créé des normes régissant entre autres le congé de maternité et la réglementation du népotisme pour garantir aux femmes un traitement équitable. Elle accorde actuellement son attention aux questions du salaire égal pour travail égal, des justes pratiques d'emploi, de l'équité des avantages sociaux et des garderies.

Pour protéger les droits des bibliothécaires d'université.

Les filiales de l'ACPU sont reconnues comme agent négociateur en vertu de la législation du travail régissant les bibliothécaires de l'université du Manitoba et de l'université St. Mary's. Les bibliothécaires sont membres de l'ACPU dans la plupart des universités qui possèdent une association locale affiliée. L'ACPU s'est engagée à obtenir des conditions de travail équitables pour les bibliothécaires des universités.

Pour aider les associations locales au sujet des avantages économiques.

Le siège de l'ACPU tient à la disposition des associations locales des documents préparés à l'intention de leur Comité des traitements et avantages sociaux. L'Association s'est employée à obtenir de Statistique Canada des statistiques comparatives utiles aux associations locales lors de leurs négociations salariales et envisage de créer cette année une nouvelle structure qui permettrait de simplifier la production de renseignements salariaux comparatifs tant au sein qu'à l'extérieur de la profession.

Pour obtenir des conditions de retraite raisonnables dans les universités canadiennes.

Le Comité exécutif de l'ACPU s'est donné comme mission prioritaire de réviser et d'améliorer les conditions de retraite au cours de l'année universitaire 1974-1975. L'ACPU a également décidé de dresser un répertoire des professeurs en retraite et d'aider les associations locales à obtenir un traitement raisonnable pour leurs retraités.

Aider ses membres en matière d'impôt sur le revenu.

Le Comité de l'impôt sur le revenu rédige chaque année un guide fiscal qu'il publie dans le *Bulletin de l'ACPU*. Le Comité examine la législation fiscale, les cas particuliers et les décisions rendues à leur sujet et communique aux professeurs d'université les conclusions qu'il convient d'en tirer par des articles publiés régulièrement dans le *Bulletin de l'ACPU*. Le Comité intervient également périodiquement auprès des ministères des Finances et du Revenu national.

Pour protéger vos droits vis-à-vis de la télévision éducative.

Depuis quelques années de nombreuses provinces ont mis sur pied ou envisagent d'organiser des services de télévision éducative. L'ACPU a formellement uni ses efforts à ceux de l'ACTRA (Association canadienne des artistes de la radio et de la télévision) pour constituer un consortium national chargé d'informer ses membres de leurs droits et de leur faire obtenir des redevances raisonnables. L'ACPU a collaboré avec plusieurs de ses filiales provinciales pour créer des consortiums provinciaux chargés de négocier des ententes collectives avec les autorités compétentes.

Pour protéger vos droits en matière de droits d'auteur et de brevets.

L'ACPU a défini des normes régissant les lignes de conduite universitaires en matière de droits d'auteur et de brevets. Son Comité des droits d'auteur travaille avec l'ACTRA pour intervenir auprès du gouvernement fédéral au sujet des modifications qu'il envisage d'apporter à la Loi sur les droits d'auteur.

Le Secrétariat de l'ACPU

L'ACPU a des officiers permanents pour mieux vous servir et pour réaliser les buts ci-haut mentionnés de l'association. Le Professeur Donald C. Savage est le Secrétaire Général, et est responsable des activités générales. Si vous désirez des informations au sujet de la liberté universitaire et de la permanence d'emploi, s'il vous plaît écrire ou appeler le Professeur Victor W. Sim, Secrétaire Général Adjoint. Concernant la négociation collective, écrire ou appeler Marie-Claire Pomme. Pour les informations sur les bénéfices économiques et les pensions, contacter Georges Frappier. Notre agent d'information est Israel Cinman et notre trésorière est Mme Ida Townsend.

Adresse: 66, rue Lisgar, Ottawa, K2P 0C1
Téléphone: 613-237-6885

L'ACPU a un bureau régional à Edmonton et un bureau local à Halifax. A Edmonton, Gordon Unger est le responsable du bureau qui fonctionne conjointement avec CAFA. L'adresse est Barnett House, 11010-142 Street. Le téléphone est 403-432-4391. A Halifax, Roger Crowther est responsable du bureau. L'adresse est 1568, rue Robbie, Halifax, Nova Scotia et le téléphone est 902-422-1370.

L'ACPU publie le Bulletin six fois par année pour informer les professeurs des événements académiques et des travaux de l'ACPU.

Parce que...

L'Association canadienne des professeurs d'université est la seule organisation canadienne dont l'unique mandat est de défendre les intérêts et les droits des professeurs et des chercheurs des universités et collèges du Canada, de travailler au relèvement des normes de la profession et d'améliorer la qualité de l'enseignement supérieur au Canada.

Why CAUT?

To protect your individual rights in the university.

For the past two decades CAUT has handled scores of faculty grievances each year concerning renewal of contract, promotion, tenure and dismissal. CAUT also lobbies individual universities to ensure that proper procedures exist and that they are used. CAUT and its local associations have gone a long way towards establishing constitutional rule rather than personal whim as the norm for university contracts.

To protect your individual rights vis-à-vis the government

CAUT has acted to protect the rights of its members in disputes with the Immigration Department, the Security Section of the RCMP, departments using seconded academics, and the like. CAUT has taken an active interest in the right to privacy.

To represent the membership at all levels of government.

In 1973-74 the CAUT:

- lobbied all levels of government, federal and provincial, concerning proposed changes in the structure of the federal granting agencies (NRC, MRC and the Canada Council) which might deleteriously affect the research potential of Canadian universities.
- prepared a position paper to be the base for lobbying the federal and provincial governments prior to the renegotiation of the federal fiscal transfer arrangements by which the federal government pays 50 per cent of the operating costs of universities.
- made representations along with CUFABC to the Government of British Columbia concerning the creation of a grants commission.
- lobbied, along with MOFA, the Government of Manitoba concerning the implementation of the Oliver Report on post-secondary education.
- protested jointly with OCUFA certain sections of the proposed legislation in Ontario concerning grants commissions and also made representations to the Ministry of Colleges and Universities concerning educational ombudsmen.
- protested to the Government of Quebec concerning classification procedures.

To assist those local associations who seek certification for collective bargaining.

CAUT is committed to collective bargaining as a means of securing the goal of the Association and has in the last two years moved vigorously to become effective in this area. It has worked closely with those associations which have sought certification and has provided them with qualified personnel and financial assistance. It plans to adapt collective bargaining to the circumstances of the university and has defeated the attempts of traditional unions to intervene.

To ensure equal rights for women academics.

Through its Committee on the Status of Women Academics, the CAUT has created norms in such areas as maternity leave and nepotism regulations to ensure fair treatment for women. It is currently pursuing questions of equal pay, equitable hiring, fairness in fringe benefits and day care.

To protect the rights of university librarians.

CAUT locals are bargaining agents under the labor legislation for the librarians at the University of Manitoba and St. Mary's University. Librarians are members of CAUT at most universities where there are CAUT local associations. CAUT is committed to securing a fair deal for university librarians.

To assist local associations in regard to economic benefits.

The CAUT central office has prepared material concerning fringe benefits for local salary and fringe benefit committees. It has lobbied Statistics Canada to ensure that local associations get adequate comparative statistics for salary negotiations and it will be creating this year a new structure whereby the supply of comparative salary information both within and without the profession will be streamlined.

To ensure decent pension arrangements in Canadian Universities.

The CAUT Executive has given top priority to the review and improvement of pension arrangements in the academic year 1974-75. The CAUT has also decided to prepare a register of retired professors and to assist local associations in ensuring that retired professors get decent treatment.

To assist membership in connection with income tax.

The CAUT Income Tax Committee each year drafts a tax guide which is printed in the *CAUT Bulletin*. It reviews income tax legislation, cases and rulings and communicates their consequences to university teachers through a special column in the *CAUT Bulletin*. The Committee also makes representations from time to time to the Department of Finance and National Revenue.

To protect your rights in regard to educational television.

In the past few years, many provinces have set up or are considering educational television production. CAUT has joined formally with ACTRA (Association of Canadian Radio and Television

Artists) to form a national consortium to inform its members as to their rights and ensure that they get reasonable financial returns. CAUT has joined with its provincial affiliates in various parts of the country to create provincial consortia to negotiate collective bargaining agreements with such authorities.

To protect your rights in regard to copyright and patents.

CAUT has established norms for university copyright and patents policies. The CAUT Copyright Committee, in conjunction with ACTRA, is making representations to the federal government concerning proposed changes in the copyright law.

The CAUT Central Office

The CAUT has full time officers to serve you and to realize the above goals of the association. Professor Donald C. Savage is the Executive Secretary and is in charge of the entire operation. If you desire information concerning academic freedom and tenure, please write or call Professor Victor Sim, the Associate Executive Secretary. In relation to collective bargaining, write or call Marie-Claire Pomme. For information on economic benefits and pension matters, contact Georges Frappier. Our information officer is Israel Cinman and our business officer Mrs. Ida Townsend.

Address: CAUT, 66 Lisgar, Ottawa, K2P 0C1
Telephone: 613-237-6885

CAUT maintains regional or local offices in Edmonton and Halifax. Gordon Unger is in charge of the Edmonton office which is a joint CAUT/CAFA operation. The address is: Barnett House, 11010-142 Street, Edmonton, Alberta. Telephone is: 403-432-4391. Roger Crowther is in charge of the Halifax Office. The address is 1568 Robie Street, Halifax and the telephone is 902-422-1370.

The CAUT publishes the *CAUT Bulletin* six times a year to help the membership keep informed of events in the academic world and of the work of the CAUT.

Because...

The Canadian Association of University Teachers is the only Canadian organization with the sole objective of promoting the interests and rights of teachers and researchers in Canadian universities and colleges, advancing the standards of the profession and improving the quality of higher education in Canada.